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## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 34th Parliament**  
Tuesday, January 5, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

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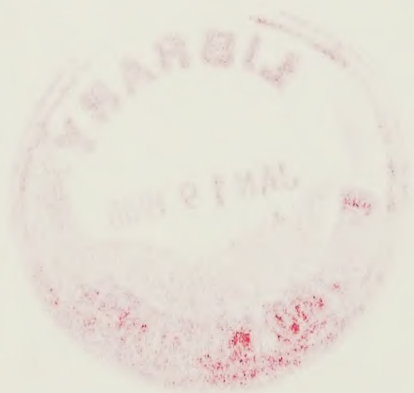




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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, January 5, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### SPEECH PATHOLOGY

**Mr. Farnan:** I bring to the attention of this House an appalling situation in Cambridge. Inadequate funding for speech pathology services has resulted in a two-year waiting list for adults needing speech therapy.

According to hospital administrator Don Robertson, 38 people have been waiting for treatment since as far back as November 1985. For Elizabeth Hussey, a 35-year-old requiring medical attention, the longer she waits for speech treatment, the less likely it is to be successful.

Diagnosed in September 1987, she has been unable to get treatment due to the lack of trained professionals. Because she must communicate in order to work, this may mean the loss of her employment. "My faith and hope of receiving help was crushed to find out that the speech therapist at the hospital is so overloaded," she said in a letter to the Minister of Health (Mrs. Caplan) on November 24, 1987.

Communication is our human connection to others. Communication disabilities affect all aspects of daily life, including education, family life and employment.

Many adults in Cambridge wonder why they are being deprived of this important health service. I urge the minister to review the funding for speech pathology services in Cambridge and to provide the funds needed to hire additional trained professionals to cope with the situation.

### METROPOLITAN TORONTO GOVERNMENT

**Mr. Cousens:** I would like to make sure that the people of Metropolitan Toronto are aware that the province introduced a bill known as Bill 29 in late November that will have a significant impact on the future of Metropolitan Toronto.

The government of Metropolitan Toronto has worked extremely well ever since it was created, but I think a large number of questions need to be asked and answered before the bill is passed. Fortunately, the bill will be going to committee

in February and will come back to the House for final approval shortly after that, by mid-February.

But do the citizens of Toronto know the changes that are going to be made by Bill 29? Are they aware that the changes will reduce the powers of local councils and possibly make them less meaningful than they have been in the past? Are people in the Toronto area aware that the new Metro council will have joint responsibility with local councils? How well will this work?

Knowing that a separate tier of municipal government was created in Winnipeg, what makes the province so certain that the same system will now work in Metropolitan Toronto?

Our people in this area of Toronto should have a chance to respond and react to the changes in this bill. I hope that people in Toronto who are concerned will make their views known to the clerk of the standing committee on general government before the end of January so that their views can be tabled and considered by the members of this Legislature.

### SHELTER FOR THE HOMELESS

**Mr. McGuinty:** Toronto Roman Catholic Archbishop Emmett Cardinal Carter has requested that landlords with multiple properties set aside one house or apartment for families or individuals who are homeless. In addition, he has requested that each of the 208 parishes in the archdiocese of Metro Toronto also find one house or apartment that can be made available.

On behalf of the members of the Legislature, I wish to congratulate Cardinal Carter.

In addition to the practical effects of his good action, his initiative illustrates an important principle. The housing crisis cannot be solved by government alone. Community involvement is required. Government is powerless alone to control things that influence the lives of people from day to day, and people are victims of impersonal economic laws.

Cardinal Carter is eliciting individual, human, personal responses at a time when they are sorely needed. His initiative has increased the consciousness of all of us. We hope that other churches, voluntary groups and individuals will



follow the cardinal's lead and initiate similar programs across Ontario.

#### SOUTH AFRICAN INVESTMENTS

**Mr. R. F. Johnston:** In November of this year, Professor Archibald Thornton of the University of Toronto recommended in a one-man commission to the University of Toronto that it divest all its holdings in South Africa. The president, Mr. Connell, requested that there be written responses to this recommendation by January 4.

Today I am going to be sending a letter to the president of the university, asking him to follow that recommendation to divest all its holdings in South Africa. I am here calling upon the Minister of Colleges and Universities (Mrs. McLeod) and the Minister of Citizenship (Mr. Phillips) to do so as well on behalf of the government. Any members of this House who feel strongly about this issue should also make their views known to the governing council of the university before January 11, when it meets to make a decision upon this matter.

#### SHELTER FOR THE HOMELESS

**Mr. Harris:** It is interesting to note that the United Nations has not declared an international focus for 1988; 1985 was the International Youth Year, 1986 was the International Year of Peace and 1987 was the International Year of Shelter for the Homeless.

Perhaps the United Nations looked at the performance of the Ontario Liberal government in making its decision not to recognize a social or economic issue for 1988. When it saw the Liberals actually allow the situation for the homeless in this province to worsen during 1987, it must have decided not to recognize any new issues for fear they would suffer the same fate as the homeless at the hands of this government.

I do not want to be totally facetious about a serious matter. I think it appropriate to review this government's record in 1987, the United Nations International Year of Shelter for the Homeless. This government has failed on at least three counts. The vacancy rate in Metro Toronto has become three times worse than it was when the Liberals first took office. It is estimated there are more than 10,000 people living on the streets of Metro Toronto alone. The Liberals have done nothing to lessen this number in 1987. Despite the government's claim about getting people to sit around a table and talk, the actual result is that Bill 51 is an administrative nightmare and

housing is no more affordable now than it was at the beginning of 1987.

This is the Liberals' record during the International Year of Shelter for the Homeless. Thank goodness the United Nations has not asked them to tackle any other social or economic issues in 1988.

#### DAVE CHAMBERS

**Mr. Beer:** As honourable members are aware, yesterday Canada's national junior hockey team won the gold medal at the world junior hockey championships in Moscow, the fourth international championship we have won this season. In any such victory, there are a number of heroes, and certainly goalie Jimmy Waite was outstanding.

Those of us who struggled out of bed early on New Year's Day saw a splendid match with brilliant goaltending.

#### 1340

My purpose in speaking today is to salute the coach of the team, a friend and constituent of mine from Newmarket, Dave Chambers. For anyone who knows him through his work as the co-ordinator of men's athletics at York University and as the coach of York's excellent hockey teams over the past few years; through his work with the Canadian university team at the Spengler Cup tournament in Switzerland, where last year he won the gold medal, and, of course, through his work this year in Moscow, we know that Dave Chambers's teams are marked by solid teamwork and discipline. These elements have been shown to be, I believe, the keys to Canada's success in international hockey.

Canada has had some great coaches at the international level. Fr. David Bauer is, of course, the model from which we have all drawn. Dave King, the Canadian Olympic team coach, exemplifies much of Fr. Bauer's approach and so, I believe, does Dave Chambers.

To Dave, his wife, Irene, and his daughters, Laurie and Linda, I know all members will join me in expressing our delight for a job superbly done.

#### NURSES' LABOUR DISPUTE

**Mr. Laughren:** I am very concerned, as I know some other members are, with the continuing public health nurses' strike at the Sudbury and District Health Unit. It has now been going on for 11 weeks.

The nurses who work at the health unit are simply trying to protect the security of their association, bargain for a modest wage increase,



prevent contracting out and prevent the health unit from adding an extra shift without hiring any more people. Those seem to me to be most modest requests of the nurses.

A particular problem has arisen, and I am glad the member for Algoma-Manitoulin (Mr. Brown) is here, because at this point there are absolutely no public health services available on the entire island of Manitoulin; none at all. Elderly patients are being asked to make three visits per person to their doctor in order to maintain themselves on the home care program. It seems to me that is an outrageous demand to make of elderly people.

It is time this government established 100 per cent funding for the health units across the province and put in place province-wide bargaining for those nurses, who do such a fine job for all Ontario citizens.

### HOSPITAL FUNDING

**Mr. Harris:** After two years, we are still waiting for action on the psychiatric hospital in North Bay and the joint hospital in North Bay, and the Minister of Health (Mrs. Caplan) still sits there looking smug.

**Mr. Speaker** That completes the allotted time for members' statements.

### STATEMENTS BY THE MINISTRY

#### COMMUNITY HEALTH CENTRE PROGRAMS FOR SENIOR CITIZENS

**Hon. Mrs. Caplan:** It was announced over a year ago that special funds would be available for the development of new programs for senior citizens in the province's network of community health centres.

Because of their emphasis on health promotion and disease prevention, CHCs, as these community health centres are referred to, are an ideal vehicle for the reorientation of our health care system towards maintaining health rather than just treating illness.

CHCs, of which there are now 16 in Ontario, are recognized for their ability to encourage people to take greater responsibilities for their personal health by providing multidisciplinary care and services at the community level. They are nonprofit and community-sponsored agencies providing health services tailored to the needs of a particular neighbourhood or a specific target population.

Doctors, nurses and other health care professionals work as a team in assessing patient needs, providing care and treatment, and co-ordinating services to maintain the health of each CHC

member. Physicians are salaried instead of paid on a fee-for-service basis.

Community health centres are run by a board of directors composed of health care professionals and representatives of communities being served, they receive their funding from the Ministry of Health through annually negotiated program-based budgets and they now serve approximately 38,000 patients a year across the province.

By strengthening the role of CHCs, our goal is to make them a stronger partner in the mix of health care services available. To do this, the Ministry of Health set aside \$1.5 million in new funding so that CHCs wishing to provide additional services for the elderly could do so. Guidelines for the development of specialized programs were sent to CHCs and to district health councils inviting proposals for new and expanded programs.

Today I am pleased to report that we have had a positive response and excellent proposals for new seniors' programs. On the recommendation of the Metropolitan Toronto District Health Council, I am pleased to announce that seniors who are members of four established CHCs in Metropolitan Toronto will shortly be able to receive specialized support services in their own neighbourhoods. The services are designed to improve their quality of life and help them live independently.

Our ministry has approved \$383,223 in total additional annual funding for the four new Metro seniors' programs at CHCs. The money will be made available immediately to Lawrence Heights Medical Centre, \$45,944 for a seniors' mobilization program; South Riverdale Community Health Centre, \$158,825 for a co-ordinated seniors' services program; Regent Park Community Health Centre, \$143,454 for a seniors' community health care program; and York Community Service Centre, \$35,000 for a geriatric counselling program.

At the new program at Lawrence Heights Medical Centre, they will serve approximately 1,535 people aged 60 and over, encouraging them to make healthy lifestyle choices. The South Riverdale program will help home-bound elderly from English- and Chinese-speaking communities, giving them nutritional counselling and other forms of health education.

York Community Health Centre will offer counselling to elderly people and their families on ageing, stress, isolation, housing and relocation. Referral services to community resources will also be provided. As well, Regent Park CHC



will facilitate access to health and social services, and provide nutrition and addiction counselling for its elderly clients. Foot care, dental care and diet counselling will also be available at the centre.

The announcement of these programs today reflects our government's commitment to preserve and promote the independence and well-being of Ontario's senior citizens.

#### FIRESTONE CANADA INC.

**Hon. Mr. Kwinter:** I wonder if I can indulge the House and ask for unanimous consent for me to give a verbal report on my trip to Findlay, Ohio, this morning.

**Mr. Speaker:** It is ministerial statements. I think that would be in order.

**Hon. Mr. Kwinter:** Mr. Speaker, as you know, Firestone and Cooper Tire and Rubber have been negotiating for some time to sell the Hamilton facility of Firestone to Cooper. On December 23 it was announced that Cooper had broken off negotiations. I travelled to Findlay, Ohio, this morning and met with Ivan Gorr, the president of the Cooper Tire and Rubber company, and William Fitzgerald, who is the president of the tire company, to determine if there is some way we could resurrect the deal.

Unfortunately, I have to report to members that they have made a decision. It is irrevocable. They are going to expand their facility in Tupelo, Mississippi, and will not be proceeding with any further negotiations on Firestone.

I tried to get an understanding of what triggered this, and I have to say that from their comments there was not one single factor. If there was one major deterrent, I would have to suggest it was the time frame they had to work in. Eighty per cent of all the tires produced in the Hamilton facility were to go to the United States market. They had commitments they had to meet. They felt the negotiations with Firestone had dragged on far too long for them to meet those commitments.

I also have to say they had some concerns about labour and they also had some concerns about the government funding. Notwithstanding the \$56.3 million that had been offered, they pointed out that the \$30 million offered by the province was really the only realistic financing they were getting, because the \$13.5-million forgiveness of the industry and labour adjustment program loan was really going to be to the benefit of Firestone. The \$6.5-million duty remission program, based on the fact that they do not export, would take them, they said, for ever to

realize on. As well, the retraining amount of \$6 million from the federal government was something that would not accrue to their bottom line.

So it was not one single factor, it was a combination of several—the time, the funding, the labour—and that was really it. They expressed a desire that they could come back to Ontario at some other time and talk to us about possible other things they could do, and that is how it was left.

1350

#### RESPONSES

##### FIRESTONE CANADA INC.

**Mr. Mackenzie:** I am very interested in the comments the minister has just given to this House concerning the situation with Cooper Tire. It is at some little variance with the information that we got this morning, dealing with the president of Local 207 of the United Rubber Workers in the Findlay, Ohio, plant. He said he had talked to the industrial relations manager of the Cooper Tire division just this morning, who informed him, first off, that they were aware of the charges that had been made up here by the minister's deputy minister about the union being at fault, that they did not see that as the problem and that they would be issuing a statement themselves on that matter, and it will be interesting to see it.

They did also say that the timing, as the minister has indicated, was one of the problems. They indicated that the financial package put together was still not that great, and that may or may not have been implicit in the \$30 million being the only good money there, as the minister has stated. They also indicated that they had a concern over an environmental matter, which I think this House should be made aware of, if the minister is aware of it himself.

These were the reasons given for the fall-through, and not a problem with the union. As a matter of fact, they specifically stated that they had not reached the stage yet where there were any serious discussions at all as to what might be involved in terms of the union.

This came, I am told, from the industrial relations manager of Cooper Tire to the president of the union local in Findlay, Ohio.

#### COMMUNITY HEALTH CENTRE PROGRAMS FOR SENIOR CITIZENS

**Mr. Reville:** I would like to respond to the statement made today by the Minister of Health (Mrs. Caplan). Because she was not wearing her flying suit, I guess she did not talk about the



airborne division that she has added to the ministry. We, of course, are grateful for these tiny initiatives in respect of health care for seniors.

Two of the community health centres which are going to be receiving funding are well known to me, those being the South Riverdale Community Health Centre and the Regent Park Community Health Centre. I know the people on the boards of those health centres will be delighted to receive this funding.

I must say, though, that community health care continues to take a very tiny, tiny fraction of all the health care expenditure in the province, I think somewhat less than five per cent. Of course, it gives the lie to the government's rhetoric about trying to change the balance from institutional care to community-based health care programs. I am very sorry to see that. We clearly need much more in the way of community health in Ontario and, within that framework and delivered through that framework, much more in the way of services for seniors, which will allow them to stay in their homes instead of blocking beds in hospitals, which is partly responsible for the absurd problems we are reading about daily in the press today.

**Mr. R. F. Johnston:** I also would like to add a few comments about the Minister of Health's statement. Anybody here in this House who has tried to get a community health centre established in his riding in a poor community will understand just how difficult it is and therefore how disappointing it is to hear this very small announcement today. I have been trying to establish a health centre in the Warden Woods community in my riding for about a year and a half now.

I must say the number of hoops you are put through as you try to establish this kind of centre is just phenomenal. Poor communities do not have the resources to be able to work towards the community development work that is necessary to establish a board, to find out all the needs that are required, to get the medical expertise brought in, etc., that they need.

What we really need from this government, a government that has added only four new centres since it has been a government, is some community development money to assist those groups to establish themselves, to go through the process. As soon as we get that, then they will find applause from this side of the House in terms of initiatives around community health centres, but until we get that, all we have is an incredible number of barriers and hurdles put in the way of

communities with great need and great disadvantage which are trying to get these kind of centres and this kind of health option available to them so they have the same kind of access to good health care that the rest of us in the middle class and wealthier sections of this province take for granted.

**Mr. Cousens:** I would like to comment briefly on the announcements by the Minister of Health and the Minister without Portfolio responsible for senior citizens' affairs (Mrs. Wilson). I think it is a positive gesture. We all want to see more done for our seniors in the province, as a group an increasing population. We have significant responsibilities to our seniors.

Possibly the minister, in investing money in seniors, can go further and make three more announcements. She will not have enough time, depending on how long the House lasts, but one announcement could expand the announcement so that it meets the needs of northern Ontario, eastern Ontario and western Ontario.

The last three announcements that have been made by the minister have all affected Metropolitan Toronto, which is important, but there are many other people across the province and we should be thinking of our seniors right across the province and coming up with programs that meet all those needs.

The second thing we should be talking about is that there are dollars required now for chronic care beds and for other services for seniors. I would be very impressed to see some action coming out of the government in those directions. Home support services are also a crying need right across the province. If the minister were to come along with the kind of dollars we are talking about and put them into any of the budgets of the regions or municipalities, it would not make any difference but it would begin to help.

All I can say is, please give a greater emphasis to the needs of seniors and the services for seniors. Our seniors are crying for them, but many of them do not even know that services are available within their communities. The minister has to come along with innovative ways so that seniors will come out of their homes and realize there are services there waiting for them.

We have a great challenge. We laud the minister's initial efforts and hope she will find many more ways of addressing our most important citizens.

FIRESTONE CANADA INC.

**Mr. Harris:** I want to comment briefly on the Firestone statement that was made by the

Minister of Industry, Trade and Technology (Mr. Kwinter) and say that I am not questioning the minister's desire to try to salvage a deal nor the statement he has made to us today in that particular narrow focus regard.

I think it is important, but there were a number of things that were said in the summer of 1987. Certainly, the impression was left by this government that if this, this and this were not met in the free trade deal, there was no deal. There was an impression left that the government had something to do or say about it, but after the election, the government said: "No, it is not a provincial responsibility. We cannot do anything. Sorry if you have misinterpreted what we said."

As well, there was the impression left that this government was going to save the Firestone jobs in Hamilton. Afterwards, of course, that proved not to be possible or not to be the case. I think that should be on the record as well.

The other thing I find interesting in this, or disturbing if you like—passing strange is the phrase for the month, I guess—is that the minister has made a statement that the government had nothing to do with this. This was private sector company to private sector company. Then we find out that Mr. Lavelle, who is the deputy minister—maybe the minister does not consider him government; I do not know—all of a sudden is the man who calls the union and says: "You have half an hour. Here is the deal."

How does he know the deal if the government was not involved? Why was Mr. Lavelle making this phone call in the first place? I know the minister just got back and has not had time for a written statement, but I hope he will make a statement to answer some of these questions.

Was the government involved or not? If the government was not involved, why was it committing \$30 million if it was not at the table; or \$40 million, because we heard the Premier (Mr. Peterson) say, "Go down there and offer them another \$10 million"? What value for money was being put on these negotiations? Was the minister looking at whether it made sense?

These are questions that my colleague the member for Burlington South (Mr. Jackson) has raised. The government was willing to give \$30 million, \$40 million—who cares?—to go down and do whatever it could. The Premier said he would save the jobs. It does not matter what it costs, but \$70,000 is the maximum the government will allow for retraining.

On the Lavelle issue, was the minister involved? He cannot have it both ways. He

cannot say: "We will give \$40 million, but we do not know what is going on. We are not at the table." Surely that does not make much sense. The other side does not make much sense either, to say, "We are not involved," when it is Mr. Lavelle, the deputy minister for the government, who seems to be in there, knows what the final deal is, made a statement disputed by many others now that, "Here is the deal; take it or leave it," and blames it on the union.

There are a number of questions that I think remain to be answered. I hope when the minister has time to collect his thoughts, he will make a more complete statement tomorrow and answer some of these questions and concerns that we have.

1400

## ORAL QUESTIONS

### FIRESTONE CANADA INC.

**Mr. Mackenzie:** The Premier will be aware of the information contained in this morning's *Globe and Mail*, the fact that Firestone Canada has a total of \$46.3 million in deferred taxes, taxes not paid here in Canada. He will also be aware that in two extraordinary transactions, Firestone repatriated \$20.8 million in cash back to the United States as per its 1986 statement; and then on January 2, 1987, a board of directors resolution transferred another \$53.7 million back to the United States: a total of \$74.5 million, not counting \$13.6 million in annual licensing fees. Does the Premier agree with our role as a cash milk cow to these irresponsible corporate blood-suckers?

**Hon. Mr. Peterson:** I think my honourable colleague can provide the member with more details on that set of transactions.

**Hon. Mr. Kwinter:** I am sure most members have read the report in the *Globe and Mail* this morning. On my way down to Ohio, I happened to have with me one of my assistants, who is a former vice-president of Coopers and Lybrand. I said to him, "What do you think?" He said: "Let me tell you, you may not like it, but the only way you can change it is to change our federal tax laws. Nothing was done by Firestone that any other corporation could not avail itself of."

We have a situation where the member may not be happy with the situation, but on the other hand, that is the tax law and you cannot have one tax for one company and another for another. They are just following what they are allowed to do under the corporate tax system, and that is what they were doing. Until someone has shown



that what they did was illegal, all you can do is express concern. The member's point is taken, but representations have to be made to the federal government to deal with the tax laws.

**Mr. Mackenzie:** Once again to the Premier: What action are the Premier and his government prepared to take—

**Mr. Speaker:** Order. I am sorry; you will have to place your supplementary to the Minister of Industry, Trade and Technology.

**Mr. Mackenzie:** To the minister then: What action are the minister and his government prepared to take to ensure that Firestone takes a much more positive role in terms of the employees and their community, who are going to do the suffering while Firestone laughs all the way to its Ohio bank?

**Hon. Mr. Kwinter:** We have announced on several occasions that there is a program in place chaired by Mrs. Anne Jones. We are looking at counselling. We are doing all the things we can do to help those workers. The very first thing I did when I landed in Toronto today was to call both Charlie Scime, the president of the union, and Bob Morrow, the mayor of Hamilton, to inform them of what we are doing and to assure them of our co-operation.

**Mr. Mackenzie:** Does this lack of good corporate citizenship not finally convince the minister and his party of the need for plant closure legislation that might give us some time and protection for workers? Apart from the greed of the Firestone company and the negotiations that went on, plus the current milking of the Canadian branch plant, the minister will note that the Canadian Imperial Bank of Commerce also got its \$30 million out in a hurry, money it had in deferred shares in the company.

Will the minister not work with the federal government very quickly to see that the deferred taxes, the industry and labour adjustment program moneys plus other moneys owing to the workers are picked up or put in some form of trust or held before everything is ripped out of Canada?

**Hon. Mr. Kwinter:** The member will know that the ILAP \$13.5 million is in a trust fund. Certainly, as a result of my meeting today, I will be conveying the information I have to my counterpart in Ottawa and we will be working with the federal government.

#### PERINATAL CARE

**Mr. Reville:** My question is to the Minister of Health. The Minister of Health has managed to

get free trade out of the newspapers temporarily by arranging to have the skies of Ontario and the United States full of aircraft transporting babies and expectant mothers from Metro to hospitals outside Metro. I wonder whether the minister would care to comment if that is all we can expect from our \$5.6-billion institutional care budget?

**Hon. Mrs. Caplan:** Let me share with the members of the House my own concern over the events which have been reported in the last couple of days and share with the member and members of the House the information I have regarding our provincial perinatal system.

We have a system in this province that responds to the needs for high-risk births. There are five hospitals in the province that are designated level-3 perinatal units, and there are five which are modified. Of the first five, two are located in Metropolitan Toronto, and one each in Hamilton, London and Kingston. The other five are located in North Bay, Thunder Bay, Sault Ste. Marie, Sarnia and Windsor.

All of these hospitals are capable of responding to high-risk birth situations. The only difference between the first five that I mentioned and the second five is the educational and research capacity. The response is through a centralized registry so that we can respond to the needs of patients requiring that kind of care.

The concern I have is the capacity within that system, and I have asked for additional information from the ministry. Notwithstanding that concern, I can tell the member and the members of this House that our system is an interprovincial and international system to ensure that residents of Ontario have the services they need and that we can respond to their needs. I am concerned about the capacity of the system and will be addressing that.

**Mr. Reville:** It is totally unacceptable for the Minister of Health to stand here and recite a list of programs that clearly have not worked for the people needing health care in this province. One of the situations is not a perinatal situation; it is a neonatal situation.

There is a young baby now starting its first few days of life in Buffalo, for goodness' sake. I am not sure whether that should be visited on a citizen of Ontario, particularly when this government crows about how crumbly the US health care system is and how wonderful our system is. Yet there is a little, unknown baby in Buffalo Children's Hospital, where the administrator is a refugee from the Hospital for Sick Children. He says when he was here, it would never have



happened. I want the minister to comment on that.

**Hon. Mrs. Caplan:** As I stated, without the theatrics of the member opposite—because I do not believe this is a situation we should be theatrical about, but instead should assure the people of this province that their health care needs are being responded to—my concern is that we have a system that has the capacity to meet those needs.

The situation he is referring to specifically about the infant who was sent for care to Buffalo was a result, unfortunately, of a nursing shortage at the Hospital for Sick Children. There was no lack of beds or respirators; there was a nursing shortage. I am concerned that it is not so much that the nurses are not available as the fact that this particular job is extremely stressful and it is very hard to find nurses who will do this type of nursing. The requirements are very onerous.

However, the needs of Ontario citizens are being met, and we are working to ensure that the capacity is there to meet the needs in the future.

**Mr. Reville:** The minister sees fit to chide me for being theatrical. I suspect Mr. and Mrs. Sisnett thought it was pretty theatrical to hop into a Lear jet. I suspect the mother, who was afraid of flying, thought it was pretty theatrical to get into a helicopter to go to Buffalo so that the child could be cared for there.

Is it not the case, and will the minister perhaps advise the House, that there were spaces available right here in Toronto but that because the policy says they deal only with maternal transfers and this baby who has gone to Buffalo was already born, it could not use the space that was available here in Ontario? I would like to ask the minister whether she thinks that is an acceptable approach to delivering health care services and what she is going to do about it.

**Hon. Mrs. Caplan:** The information I have is that, in the case of the infant who was transferred to Buffalo, space was not available at Mount Sinai Hospital. Checks were made—and this is within the system—at all other Ontario hospitals to see if they could offer the care required. We checked as well with hospitals in Montreal and in other US cities, and then the child was sent once we found a place in Buffalo.

On the other hand, in Ontario, as part of this interprovincial and international network, we accept cases from other provinces and other jurisdictions as well as attempting, in this very highly specialized and very important area of perinatal care, to respond to the needs of residents of Ontario, citizens, and also those

people in other jurisdictions who are part of our centralized network.

1410

**Mr. Brandt:** My question is also to the Minister of Health with respect to the same topic.

We have a situation where a mother had to be flown to Kingston to have triplets, as the minister is aware. Today we are advised that a newborn infant had to be taken to Buffalo. We have since learned, in addition to the information that my honourable colleague has shared with us, that a critically ill newborn was recently taken from Thunder Bay to Winnipeg. So we have a situation where we are flying these newborns out of the city, out of the province and out of the country.

With a world-class health system with world-class hospitals, can the minister indicate to this House very clearly how this situation can be allowed to continue?

**Hon. Mrs. Caplan:** One of the questions I asked, because of the concerns that I personally expressed to members of this House, was exactly that; that is, what is the capacity of the system? What I was told is that we have experienced in the last couple of days an unusual peak, if you will. It is very difficult, in these kinds of high-risk, premature birth situations to anticipate when the births are going to take place. That is the very nature of what this is all about.

However, I am concerned because our system is reaching capacity, as noted by the fact that we are utilizing our system and working with other provinces as well to meet the needs of Ontario residents. I will be moving in the very near future to add capacity to the system in Ontario so that we can ensure we will meet the needs of Ontario residents.

**Mr. Eves:** These are not mere isolated incidents in the last couple of days. Last year some 24 women with high-risk pregnancies were transferred to other hospitals throughout Ontario from Toronto alone, as I am sure the minister is aware. Now we have three instances in the first five days of 1988.

From the 1985 to 1986 fiscal years, there was an increase of 2,000 newborn admissions to hospitals in Ontario, yet the Ministry of Health increased the number of newborn beds by only 37. Why?

**Hon. Mrs. Caplan:** I want to make sure the member is very clear in not confusing newborn beds with the perinatal system beds. These particular beds, which are part of a province-wide system—there are 10 hospitals that respond—



are very specialized and highly sophisticated in their needs and requirements. These are for low-birthweight infants, many of whom would previously not have survived.

I want the member to know how pleased I am that we have the kind of health care system in Ontario that can respond to those kinds of needs and save lives of infants who previously would not have survived.

**Mr. Eves:** The minister has not begun to respond to the question of why there were only 37 beds.

A spokesperson for the Hospital for Sick Children indicated to us this morning that there is "a constant juggling of babies" at the Hospital for Sick Children. The Ontario Nurses' Association says that there is a nursing shortage. This is nothing new. The minister has known about this for a long time. I brought it to her attention two months ago in this Legislature, as a matter of fact.

Ted Stibbards, who heads the Buffalo Children's Hospital, is quoted as saying it is very unusual to find this sort of situation occurring. "It would indicate that things are different than when I was there." Stibbards, as the minister knows, used to head up the Hospital for Sick Children here in Toronto. He left the hospital in 1984. He indicates that in the nine years he was the head of Sick Kids prior to 1984, this type of situation never once occurred.

The Liberals have been in charge of the health care system in Ontario since 1985. They have seen all these things developing over the past two and a half or three years. Why have they not done anything about it? Are they going to give this House a commitment today that they are going to spend the amount of money that is necessary to bring this health care system back to world-class, where it belongs and from whence they took it?

**Hon. Mrs. Caplan:** Let me say that, while I have concerns about the provision of perinatal care—and I have addressed that issue, I think, in this House at this time and I would also be willing to discuss it further with the member opposite—I am very proud of the steps this government has taken over the past two and a half years to improve health care in this province. The increases to base budgets in the past two years have been unprecedented. The amount of money, \$850 million, into expansion of the institutional sector has been significant and we are moving forward.

However, we cannot take and we are not taking all of those for granted. We recognize there may be areas where we must increase and

expand. Let me say that funding is not a problem in the area of perinatal care. There are other factors, such as nursing care, which is a concern. However, I am looking at expansion of the system and I hope to be able to have an announcement in the near future.

#### PRA INTERNATIONAL INC.

**Mr. Brandt:** My question is for the Minister of Industry, Trade and Technology. It is with respect to the matter that was raised in the House yesterday regarding PRA International Inc. in London.

As the minister is aware, the mandate of the Biddell report was to identify companies that were in trouble or in need of future support. That was indicated in the release by the former Minister of Industry, Trade and Technology, the member for Quinte (Mr. O'Neil), on October 14, 1986. He very clearly indicated that was what Biddell was to find out.

The Deputy Minister of Industry, Trade and Technology, Patrick Lavelle, indicated that he had a copy of the Biddell report in his possession in early February 1987. The government had fully four months either to secure its investment in PRA International or to secure the technology by making a further investment in that same firm.

Can the minister indicate to us now why at least the part of the Biddell report related to PRA cannot be released to the members of this Legislature?

**Hon. Mr. Kwinter:** The leader of the third party will know that Jack Biddell submitted his report and was asked to follow up with a couple of other reports that he is still working on. Notwithstanding that, the recommendations he had made have been implemented by the Ontario Development Corp. and, as a matter of fact, in his latest report the Provincial Auditor was satisfied that all of those things had been looked after. In fact, in his reporting letter to me he said there was no matter of consequence that he could even comment on in the operation of that portfolio by the Ontario Development Corp.

**Mr. Brandt:** Who is in charge? We heard yesterday the Premier (Mr. Peterson) respond to my question by indicating that the IDEA Corp. was totally independent and made all of its own decisions.

**Mr. Pope:** Now the ODC.

**Mr. Brandt:** Now the ODC, or is it in fact the government? We are trying to get to the bottom of who in fact approved of the moneys related to this particular corporation.



It is interesting to note that a representative of the Ontario Development Corp. who sat on the board of PRA quoted in the London Free Press that they were interested in the Plasmarray system that was being developed by PRA, and he said of this particular system: "It was leading-edge stuff. If more money had been spent to market it, the company might have made it."

**Mr. Speaker:** Question.

**Mr. Brandt:** I want to get to that, but I had to give this background.

**Mr. Speaker:** I appreciate all that and I allowed the member to give all that background. Would you please place the question?

**Mr. Brandt:** I am glad you asked, Mr. Speaker.

The question to the minister is, since more money might have saved the firm, why did he or someone not intervene either to provide more money to PRA International Inc. to bring this technology to the point where it was marketable, or—

**Mr. Speaker:** Order.

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**Hon. Mr. Kwinter:** If I could just briefly go through the chronology of how this worked, in December 1985 a decision was made by the IDEA Corp. Even though this government had announced that it was going to wind it up, IDEA was still in control. They made the announcement that they were going to provide the funds. In July 1986, the IDEA Corp. was turned over and the portfolio was put under the management of the Ontario Development Corp., where it is now.

By the time Mr. Biddell's report came in, the report went to the Ontario Development Corp., which was responsible for administering the IDEA portfolio.

On the one hand, the member is asking why we did not give them more money and, on the other hand, he is asking why did we not just cut them off and save—

**Mr. Brandt:** One or the other.

**Hon. Mr. Kwinter:** The point is that the decisions were made in a prudent, businesslike way. Representations were made. The member has heard of the now famous letter from Mr. Parkes to the Premier (Mr. Peterson) in which he asked for \$500,000. That was subsequently turned down by ODC because the business case could not be made. It is as simple as that.

**Mr. Brandt:** We questioned why the government gave the money in the first place, but after it

did, there was at least some chance that the government might have been able to save the firm or, on the other hand, cut the losses.

Let me read from a press release in February by the former minister. "The affairs of the IDEA Corp. will be phased out as of June 30, 1986, Treasurer Robert Nixon and Industry, Trade and Technology Minister Hugh O'Neil announced today. In the interim period, the affairs of the corporation will be the responsibility of Mr. O'Neil." That is what he said in his press release.

I want to ask the minister, since we are trying to get to the bottom of PRA, how the moneys were given in the first place and why the company was allowed to get rid of its assets to the banks, and perhaps to corporations south of the border in the United States—

**Mr. Speaker:** Minister?

**Mr. Brandt:** We have raised the question with the minister—this is my question, Mr. Speaker.

**Mr. Speaker:** I distinctly heard you put a question.

**Mr. Brandt:** No, I am getting to the question.

**Mr. Speaker:** You are?

**Mr. Brandt:** As the Provincial Auditor has no statutory powers to check into the affairs of private companies or to ask for any of those files, will the minister now agree, since the only way he is going to get to the bottom of this is through a judicial inquiry, to undertake a judicial inquiry to determine what happened to the \$1.5 million in PRA International?

**Hon. Mr. Kwinter:** The member should know, because he used to occupy this portfolio, that when the government gets involved in the funding of these industries in Ontario they are usually funders of last resort. If the company could go to normal lending institutions such as banks and pledge assets, pledge securities, it would not come to us. Unfortunately, that is the role we play.

As those members who were at estimates will remember, the members of the official opposition felt we should be risking even more money and that we were running a too small-c conservative operation.

The point I am trying to make is that when this thing runs, the Provincial Auditor will be checking all of these things. If he decides that in his opinion there should be further investigation, he will be free to recommend that to us. But, in the meantime, he is a servant of this House. He is going to take a look at the whole operation and will report to this House for further determination if required.



## FIRESTONE CANADA INC.

**Mr. Mackenzie:** I have another question for the Premier. He is reputed to have first heard of the closing of the Firestone Canada Inc. plant through a note passed on to him at a social function by the president of Firestone Canada.

Do these corporate pirates also inform the Premier that this is the second time they have done this in Ontario? The Whitby plant had everything possible taken out of it when Firestone closed the operation down. Has he also informed the Premier of what the union just found out this afternoon—that is, that their pension fund is not fully funded? As a matter of fact, it is underfunded to the tune of \$8.9 million at this time.

**Hon. Mr. Peterson:** I am not familiar with the details the member is raising, but I would be very happy to have the minister check into it.

**Mr. Mackenzie:** Will the Premier also tell us what we should tell the workers at Firestone who have contacted the Pension Commission of Ontario and been told at least five years are allowed to fully fund the \$8.9 million missing from their pension fund? Indeed, they may want to take as long as 15 years.

Some of those workers are going to want to settle their affairs, put their money into registered retirement savings plans, do other matters, and they are now faced with the possibility that they may not be able to get their money out because of the lack of full funding in that pension plan. Can he tell us what we should tell the people in terms of this situation?

**Hon. Mr. Peterson:** I appreciate the honourable member bringing that to my attention. I was not aware of it. I will ask the Minister of Financial Institutions (Mr. R. F. Nixon), who is responsible, to immediately launch an investigation, and we will make sure there are absolutely no violations of the law of Ontario.

I thank the honourable member for bringing it to my attention.

## IDEA CORP.

**Mr. Harris:** I have a question for the Premier. The Premier will be aware that on December 11, 1986, the standing committee on public accounts, an all-party committee, recommended that a judicial inquiry be launched into the activities of the IDEA Corp., especially at that time as it pertained to the Wyda Systems and the Graham Software investments.

That was over a year ago that an all-party committee recommended a judicial inquiry into

the IDEA Corp. Could the Premier tell us why, once again, like the select committee on retail store hours, like the débâcle he is making out of the committee studying free trade, he chose to ignore a recommendation made by a committee of this House, one that maybe now he will acknowledge might have saved us a substantial amount of money?

**Hon. Mr. Peterson:** I do not think there is any evidence of that at all. We have gone through the chronology of that situation. I gather the honourable member's position now is that we should give them more money. I think the Provincial Auditor will get to the bottom of this entire matter and I have every confidence in his judgement and his impartiality.

**Mr. Harris:** The Premier refers to the auditor. Our office contacted the Provincial Auditor this morning. The spokesman for the auditor said he had yet to receive any communication from the minister, the Premier or the government. They had no idea of any terms of reference, no idea how long an audit would take and, in fact, the first they had heard of it up to that point was through the media.

The referral to the auditor is not enough. The Premier will know that the auditor has no statutory authority to check private companies and the only way to get access to find out what really went on is to have a complete public review.

Will the Premier not now accept the recommendation, albeit 13 months later, of the public accounts committee and agree to a judicial inquiry of the whole situation?

**Hon. Mr. Peterson:** I do not want to be unkind, but I think the honourable member's facts are wrong again. The auditor was spoken to yesterday by the Secretary of the Cabinet, asking if he could undertake this inquiry. He said yes, and in fact I understand they are working on it today. I think my honourable friend will want to check who his so-called official spokesman is and check out his facts before he puts those suggestions in the House.

## GOVERNMENT LAND

**Mr. Mahoney:** My question is to the Minister of Government Services. Many projects come forward from time to time in municipalities that require co-operation from the provincial government in various forms. One of those forms is to provide excess provincial land. They range from housing complexes to sports facilities to garden plots. If these projects are worth while, a partnership among this level of government, the

municipal sector and the private sector would seem to make good sense.

Will the minister consider providing land on long-term leases for nominal amounts to municipalities for projects approved by the councils of those municipalities that would be to the overall benefit of the community?

**Hon. Mr. Patten:** I would like to thank my colleague the member for Mississauga West. He asks a variety of questions that I think deserve some clear answers.

First of all, his reference to government lands related to housing. He will be aware that our particular ministry plays an important role by reviewing the housing potential of every piece of government land that we have in the province. Of course, there are ongoing discussions because of the great interest by the Minister of Housing (Ms. Hošek) related to the use of land for housing. These discussions take place as well as, of course, the Housing First deputy ministers' committee, which is looking for a variety of ways of strengthening that role.

In relation to municipal recreational uses, in terms of sale, our policy is to offer land for direct purchase at market value to these particular municipalities. Of course, the member will know that the municipalities themselves, depending on the purpose in terms of the use of these lands, can apply to other government programs for support in order to do that.

When it comes to leasing, we have a program—

**Mr. Speaker:** Order. It seemed like a fairly extensive response.

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**Mr. Mahoney:** It did indeed, Mr. Speaker. If the honourable members opposite knew the seriousness of this situation, they would not be making such silly remarks. It seems to me that an opportunity to provide incentive to the private sector, which they would not understand, to provide facilities that would otherwise have to be paid for by the property tax or by the provincial tax is a good idea.

Will the minister consider a program to provide this incentive to the private sector through land use planning in co-operation with the municipalities?

**Hon. Mr. Patten:** As I think the member would know, we are always happy to entertain proposals that come forward that show strong co-operation for the use of lands for the people of Ontario.

I might add that in terms of the leasing arrangements—and I think the member's part of

the province falls under what was previously called the park belt plan—under that arrangement, special leasing arrangements are made with municipalities in the surrounding areas. Some have already been done with some of the municipalities in terms of recreational use. Of course, the province always retains the option for future development of these lands by making these lease arrangements. If the member is asking whether lease arrangements are possible, the answer is yes, they are.

#### PRA INTERNATIONAL INC.

**Mr. Philip:** I have a question for the Minister of Industry, Trade and Technology arising out of his statement yesterday and also, in part, from his less than complete answer to the first question by the leader of the Conservative Party.

Yesterday the minister stated that the Biddell report, a report which the standing committee on public accounts was told by Mr. Biddell was complete, would be provided to the Provincial Auditor for his inquiry into PRA International. Can we therefore assume that the Biddell report deals with the loss of the \$1.5 million through PRA, and can the minister tell the House what rationalization he has that he is willing to provide the Provincial Auditor with this report but his government is not prepared to provide the public accounts committee and the public with that report?

**Hon. Mr. Kwinter:** To the first part of the question, I cannot assure the member that the report deals with PRA because at the time that report was compiled—the first part of the report that I am talking about—the \$1.5 million was not lost.

What we have is a situation where we are going to provide Mr. Biddell's report to the Provincial Auditor. We will also provide the subsequent reports. There are two other reports that he is still preparing. When those are complete, they will be provided to the Provincial Auditor. When he is finished, he is going to be able to provide everything, including that report, to this Legislature to be dealt with as the Legislature sees fit.

**Mr. Philip:** It is an interesting situation we have, where yesterday the minister said he will provide a report and now he is not sure whether the report has any relevance to the inquiry that the Provincial Auditor is undertaking. No doubt a number of documents will be examined by the Provincial Auditor during his forensic audit, which the Premier (Mr. Peterson) agreed to yesterday.



Will the minister guarantee the House today that no government restrictions will be placed on any of those documents in their use by the auditor and, at the auditor's pleasure, on the release of those documents, where he sees fit, both to the public accounts committee and to the public?

**Hon. Mr. Kwinter:** I would be pleased to provide that assurance that there will be no restriction on the documents that are provided to the Provincial Auditor. He certainly will have the freedom, at his discretion of course, to provide whatever he wants to the Legislature.

#### TRADE WITH UNITED STATES

**Mr. Sterling:** I have a question for the Minister of Industry, Trade and Technology. In response to a question from my leader yesterday, the Premier (Mr. Peterson) said: "I do not think my friend should get the impression that any secret information is being suppressed in this matter. We are sharing these things with him and are happy to do so."

We have information that the government has commissioned a report on free trade from Informetrica Ltd. of Ottawa. We are also led to believe that the government is in receipt of this report. Will the minister clarify whether he has commissioned or has received this report at this time?

**Hon. Mr. Kwinter:** Unfortunately, I am not aware of the report. I will be happy to look into it for him and get back to the member.

**Mr. Sterling:** I thought he might not be aware of it. We are informed that this report, which has been commissioned by the minister's Liberal government, is supportive of free trade. Perhaps the reason he is being either not told about this or has no knowledge of it is the fact that the results of this report are against his particular position. If the minister gets a chance to ask his staff about this report, will he immediately live up to the promises of the Premier and table that report forthwith?

**Hon. Mr. Kwinter:** I have already given the member my assurance that I will look into that report and get back to him on it.

#### SCHOOL ACCOMMODATION

**Mr. Adams:** My question is for the Minister of Education. Across the province, public and separate boards are negotiating school transfers. In my own riding of Peterborough, I am urging all concerned to try to settle the matter within the community, avoiding the external arbitration route. Are there boards which are successfully completing negotiations on their own?

**Hon. Mr. Ward:** I want to thank the honourable member for his question. I point out to him that negotiations are indeed continuing in the Peterborough area regarding the accommodation needs of both the public and separate boards. I also want to assure the member that, overwhelmingly, jurisdictions throughout this province have dealt with this matter successfully, arriving at solutions within the community, whether they be by the willing transfer of facilities, entering into lease arrangements or through sharing arrangements.

**Mr. Adams:** In the event negotiations fail within the community, what sort of support is there for the parties concerned?

**Hon. Mr. Ward:** The ministry will lend whatever assistance it can to parties involved in such disputes. The Planning and Implementation Commission monitors the negotiations very carefully and provides advice and assistance when required, as well as the ministry directly. Again, I want to stress that mediation and arbitration are utilized only as an absolute last resort.

#### TRADE WITH UNITED STATES

**Mrs. Grier:** I have a question for the Premier. It follows from the exchange I had yesterday with the Minister of the Environment. It is very difficult to ask supplementary questions of the Minister of the Environment because there is nothing to be supplementary to; so it is in effect a supplementary to the Premier.

Yesterday the Minister of the Environment admitted that his ministry had commissioned no systematic study of the effects of free trade on the environment.

**An hon. member:** Here he is.

Interjections.

[Applause]

**Mr. Breaugh:** The only place in the world where the third string gets applause.

**Mrs. Grier:** Can the Premier explain why his government, which purports to have such a strong concern for the environment, which has commissioned reports on the effect of the free trade deal on women and on the effect of the dispute settlement mechanism and is looking into a constitutional audit of the free trade deal, has failed to recognize the very significant impact this deal could have on our ability to make environmental decisions and is undertaking no systematic study of that effect?

**Hon. Mr. Peterson:** Mr. Speaker, I know you will understand this. I have never been as

relieved to see anybody in my entire life. I will refer this to the very competent Minister of the Environment.

**Mr. Speaker:** I understand the Premier has referred this to the Minister of the Environment.

**Hon. Mr. Bradley:** I am pleased to assist in providing an answer to this question. If members of this House will recall, one of the first people in the country of Canada to point out the potential difficulties of a free trade agreement was the Minister of the Environment of Ontario.

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At the meeting of the Canadian Council of Resource and Environment Ministers in Alberta, not this past year but the year previous to that, I raised this issue. At the same time, I raised the issue of attempting to have the proceedings of that meeting held as a public meeting. Unfortunately, the other ministers did not agree with that, but on that occasion I expressed that.

This past summer, when we had a special meeting of the Canadian Council of Resource and Environment Ministers right here in Toronto—and it was reported in some of the Toronto newspapers—I once again indicated the disapproval of our province from an environmental point of view and raised the same questions.

I have utilized as well the information provided by environmental groups, many of which receive funding from the provincial government for various research projects, and I have utilized the information of people from universities as well as the very expert opinion of the people from the Ministry of the Environment. All of these have been useful instruments in making—

**Mr. Speaker:** Thank you very much. Supplementary.

**Mrs. Grier:** I would be the very last person to suggest that the minister had not talked about his concerns or had not raised his concerns. I was trying to ask a question, to find out what they had done about those concerns, and I was very specifically going to raise with the Premier a quote from a speech of his which said that “a healthy economy and a healthy environment are not contradictory.”

The Minister of the Environment has supported the recommendations of the World Commission on Environment and Development, which include the fundamental belief that environmental and economic planning cannot proceed in separate spheres. Yet in the discussion and the action of this government with respect to the free

trade deal, we have not seen action with respect to the environment.

**Mr. Speaker:** The question would be?

**Mrs. Grier:** Can the minister explain on behalf of the government why the resolution opposing free trade which this House has been debating for these many years or days—it seems like years—and which includes in its preamble a number of instances in which the government disagrees with the Mulroney-Reagan free trade deal has no mention—

**Mr. Speaker:** Order. Minister.

**Hon. Mr. Bradley:** I suppose any resolution that we could bring forward could contain almost endless lists of the potential ramifications of the free trade agreement on Ontario. Indeed, our province has looked beyond our borders to the country of Canada. But I, as the—

**Mr. Breagh:** Wait a minute. We are in Canada still.

**Hon. Mr. Bradley:** Yes, that is right.

**Mr. Speaker:** The response.

**Hon. Mr. Bradley:** I am simply saying that we in Ontario take a national outlook when dealing with issues of this kind, as our Premier has on many occasions. What I indicate to the member for Etobicoke-Lakeshore is that our province was in the forefront of bringing to the attention of others the potential adverse impact of a free trade agreement on the environment. Everybody in the province who is aware of environmental issues can spot the potential problems that would exist.

We could commission a hundred studies on it, which would no doubt confirm what we have said, but I think anyone—and I include the member in this, of course—who is at all aware of environmental issues would know without a very detailed study being presented that there are a lot of potential downsides to a free trade agreement for the environment. I think her input, the input of all members of this House and my input, as only one member, will bring to the attention of all and sundry the adverse consequences, potentially, of a free trade agreement.

#### RETAIL STORE HOURS

**Mr. Harris:** Yesterday there was an ad that appeared in the Toronto Star. One man felt that \$13,000 of his own money was not too much to spend. It mentions that the Legislature's all-party select committee on retail store hours studied hundreds of briefs. “These MPPs unanimously recommended a common pause day.”



**Mr. Speaker:** The question is to which minister?

**Mr. Harris:** My question is to the Premier. Last May, just before the Sunday shopping committee that was referred to released its report, the Premier stated that unless there was "something terribly offensive in the report" he could support its major recommendation. Since the election, the Premier, with his majority, has completely ignored the all-party recommendation.

I wonder if the Premier can tell this House what he found so terribly offensive in that report that caused him to completely change his position on Sunday shopping.

**Hon. Mr. Peterson:** Just one correction of fact. I do not believe it is one man's money; I believe it is one corporation's money and that is, of course, tax deductible. The federal government and the provincial government did assist in putting that ad in the newspaper and we were very happy to do that in the interest of free speech.

Second, with respect to the—

**Mr. Sterling:** What a rationalization.

**Hon. Mr. Peterson:** I just want to correct the facts, because they are important in discussing this issue.

We came to the conclusion, after very serious scrutiny of the report, that it was unworkable, that it would just add more overlays and more complications of the situation and was, in a sense, unenforceable. We came to the conclusion that since retail stores are controlled now six days a week—indeed, seven days a week—by municipalities with respect to the tourist exemption, it was a fair, reasonable, democratic way to go. Interestingly enough, it works extremely well in a number of other provinces. I am sure that as soon as my honourable colleague has studied that and wrapped his mind around it, he will come to the same conclusion.

**Mr. Harris:** The Premier says it is unenforceable, so he gives it to the municipalities to enforce. Is that not great?

Does the Premier not realize that he is making a mockery of the committees around this Legislature? There is a committee studying free trade. The Premier is saying, "We would like you to study the free trade deal, but whatever you come up with does not matter because we have already made up our minds." There was the committee on Sunday shopping which made a recommendation, and all three parties signed it, but the Premier is saying: "We do not care what

you found. We are going to do what we want because I am in charge now and I have 94 seals to help me."

**Hon. Mr. Scott:** Would you buy a turkey from the leader of the third party?

**Mr. Harris:** Some of the seals are bigger than others.

Last August in the middle of an election, after plenty of time to study the report, the Premier said there was widespread support for a common pause day and he would not be making any changes. I will ask the Premier again: Other than getting the 94 seals behind him, letting him do whatever he wants, what caused the Premier to change his mind so dramatically on the Sunday shopping issue?

**Hon. Mr. Peterson:** My honourable friend accuses this government of not listening to the committees of the House. I do not think that is a fair charge because I have the highest respect for the members of this House, unlike my friends opposite.

His leader put in an emergency resolution in favour of the free trade agreement some time in December, even prior to the committee having a look at it. How could that be—a member prepared to make up his mind in the absence of thorough study, the way the government has studied this issue? I do not think my honourable friend's charge is credible in that regard.

As I said to my friend with respect to the question he has asked, we came to the conclusion, after very serious scrutiny, that the proposals of the select committee on retail store hours were unworkable. That is why we have come up with a solution we think is practical, sensible, democratic and progressive. We believe the majority of people in this province will support this major step forward.

[Later]

**Mr. Harris:** Mr. Speaker, on a point of order: I would like to rise to correct the record and to apologize if I have misled any members of the House. Earlier today, I indicated that the Premier had 94 seals. One swam away and there are now only 93. I would like to correct the record.

#### AIR QUALITY IN SCHOOLS

**Mr. R. F. Johnston:** My question is for the Minister of Education. For well over a year now, my predecessor, the member for Hamilton West (Mr. Allen), has been raising the question of air quality in a lot of our schools in Ontario. In the last two days, we have heard now of cases in Toronto of levels 10 to 12 times higher than

government standards in terms of carbon monoxide, carbon dioxide and mould in the air. Can the minister at this point tell us how many schools in Ontario have negative air quality in them and what he is doing about it?

**Hon. Mr. Ward:** I cannot tell the member for Scarborough West how many schools in Ontario are reporting problems with air quality, but I will endeavour to get that information for him and report back to him.

With reference to the stories that appeared this morning, particularly as they relate to a public school in Etobicoke, I want to assure him that the Ministry of Labour did undertake specific testing there. The board was advised this morning that carbon dioxide levels at that school were within acceptable standards. As a result of a complaint by an employee at that school some year and a half ago, the Ministry of Labour was called in to do some inspections. The board was given some advice on how to improve ventilation and take some remedial steps. Those maintenance efforts were successful and they were able to reduce the levels to an acceptable limit.

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**Mr. R. F. Johnston:** I gather from this that the ministry has not done any systematic testing of schools in Ontario and has not itself established, in liaison with the Ministry of Labour, any standards for what is acceptable air quality in these kinds of schools in Ontario. Is the minister intending to do either of those things?

**Hon. Mr. Ward:** I want to assure the member that my ministry will be working closely with the Ministry of Labour. I have asked officials from within my ministry to provide me with information on this issue and the issue that has been raised previously by the member for Hamilton West. I can assure him that I will report back to him further as soon as we have any additional available information.

I do want to point out that the ministry, in terms of its role and its funding arrangements in the construction of new school facilities, expects boards to meet the local building standards and to meet the standards for ventilation systems throughout this province. If we determine that those standards are not being met, we will advise the boards appropriately.

On the other hand, I want to assure the member that officials within my ministry will be providing me with further information as to the extent of the problem and I will share it with him as soon as it is available.

## METROPOLITAN TORONTO GOVERNMENT

**Mr. Cousens:** I have a question for the Minister of Municipal Affairs about the restructuring of Metropolitan Toronto. The minister has asked each area municipality to draw up proposals for ward boundaries. We know the federal government has established independent commissions to develop boundaries in electoral areas. The province has had an independent commission which selected our boundaries.

In the creation of the seventh-largest electoral system in Canada with the creation of Metropolitan Toronto government, how appropriate is it for Metro's municipal politicians to devise their own electoral boundaries? Would the public not be better served by an independent commission to allocate these changes and award these ward boundaries?

**Hon. Mr. Eakins:** Let me say that this is in response to the municipalities; they could put together and be responsible for the area they know best. I think that is the best route to go. We have been in constant touch with the clerks in the municipalities. They tell me things are moving ahead well and they are going to have their wards in place. I think it is going to be an excellent response to their concerns.

**Mr. Cousens:** We certainly hope the minister is right because gerrymandering is something we would not want to see.

Interjections.

**Mr. Speaker:** Order.

**Mr. Cousens:** It is just a simple fact.

By changing the Municipality of Metropolitan Toronto Act, great confusion is going to be created between local councillors and Metro councillors. Citizens will be confused about who is going to do what and when and where in Metro. Local councillors and Metro councillors will be in conflict over areas of mutual responsibility. A war zone will be created between the big Metro council and local councils.

How is the minister going to clear up the confusion of local citizens, remove areas of conflict between councillors and Metro councillors and make certain there is not a war zone between Metro council and municipal councils?

**Hon. Mr. Eakins:** What we are proposing here is in direct response to the people, to the municipalities, to the municipal councillors. As the member knows, a task force was appointed a year and a half or two years ago, and almost the unanimous response from the municipalities was to create a direct election to Metro and to do those



things which the people can relate to. At the Metro council at present, there is confusion. I can tell the member that when this is completed there will be no confusion, because Metro council will now be responsible for a budget of some \$2 billion and to some two million people. It is going to answer the response of the people who have asked for these proposals.

#### AFFORDABLE HOUSING

**Mr. Callahan:** Mr. Speaker, this is my supplementary; it is to the Minister of Housing. Some time ago in the House I asked the Minister of Health (Mrs. Caplan) whether her newly formed committees would provide alternatives to the matter of abortion.

Carrying through on that, I would like to ask the Minister of Housing, recognizing that one of the largest obstacles, as I understand it, to young people in terms of alternatives to seeking abortion is the matter of affordable housing, whether she would consider favourably applications by church, charitable and whatever other groups wish to dedicate land and to provide that type of housing as a real alternative to what is presently the only option, that of abortion, and allow those people to bring the child to full term and either have the child adopted or continue to raise the child themselves.

**Hon. Ms. Hošek:** I would like to assure the member that one of the groups we are particularly concerned about is young women who are responsible for children, which in many cases they are raising alone. They are one of the very major groups of people for whom there is support in housing in Ontario.

Of course, if the churches would be interested in providing church land for the provision of housing through the nonprofit sector, we would be very glad to have them do it. I think that is a very good use of church land and we welcome their participation with the Ministry of Housing in getting support for the nonprofit buildings that, I assume, would result and would give such housing.

#### PENSION BENEFITS

**Mr. D. S. Cooke:** I have a question for the Minister of Financial Institutions. The minister will be aware that over three million working people in Ontario do not have a pension plan. That represents about 60 per cent of working people and for women workers it is 70 per cent. I would like to ask the minister, in view of the fact that the majority of workers do not have pension plans, is his government considering any propos-

al at the provincial level that would offer alternatives to these workers so that they can retire in dignity and with financial security?

**Hon. R. F. Nixon:** The treasurers, meeting with the Minister of Finance, have had discussions on improving the provisions of the Canada pension plan. Mr. Speaker, you will recall that those improvements were announced and legislated nationally some months ago. There is also some consideration by an ad hoc group associated with the treasurers and the Minister of Finance for at least some review of the possibility of homemakers' pensions, although there is certainly no policy commitment by any treasurer I know of to that, other than the interest that this Treasurer has expressed on a number of occasions.

**Mr. D. S. Cooke:** Since attempting to make changes in the Canada pension plan takes a long time and requires the consent of the provinces and the federal government, would it not be appropriate that Ontario show leadership in this field and that it look at the proposal that was made during the last provincial election campaign for an Ontario pension plan that would guarantee an income for people who are retiring, offer them the option at age 60 to retire, and obviously would also have the other positive effect of opening up job opportunities for our young people in the province? Is it not time the minister showed some leadership in this field?

**Hon. R. F. Nixon:** Mr. Speaker, you may recall that a committee of this Legislature reviewed a report that recommended a separate provincial pension plan some years ago. The report of that committee—I think the Premier (Mr. Peterson) himself was one of the leading contributors to the thought processes that led to that review—and the Legislature gave very careful consideration to the alternative the honourable member describes.

The Canada pension plan has been changed to allow retirement at 60 with reduced payments, and the proposal has been made by a number of people, including the finance critic of the member's own party, that our provisions ought to be brought into line with that. I certainly think that is something that is worthy of continuing review.

#### HANDGUN REPLICAS

**Mr. Cureatz:** I have a question to the Minister of Consumer and Commercial Relations. As the minister is well aware, in the United States and now in Ontario, there has been a growing concern about the sale of replica handguns. We

have encountered a tragedy that has taken place in Ontario where an individual lost his life holding such a weapon.

**1500**

Is the minister, through his ministry, considering investigating the possibility, if not of bringing in legislation, at least of looking at the possibility of working with the manufacturers of such weapons to alter them to such a degree that it can be visibly seen that they are not a true weapon or, as the next step, of banning them altogether?

**Hon. Mr. Wrye:** The honourable member raises a question that was first raised in the House in November of last year by my colleague the member for Brantford (Mr. Neumann). He raised this matter with the Attorney General (Mr. Scott). It was with regard to an inquest in that community as a result of a fatality involving one of these replica guns.

I can say to the member for Durham East that my colleague the Attorney General has written to the federal Minister of Justice regarding the sale and distribution, which is the area in which the honourable member has expressed his concern. The government's view is that this matter ought to be dealt with, in a sense, in the same national way as utilization of these replica weapons is dealt with, under the Criminal Code.

I ask my friend to refer himself back to Hansard, to the comments of the Attorney General. I will check with the Attorney General and forward to him, if he would like, a copy of the Attorney General's letter to the Minister of Justice. I am given to understand that has been sent and we believe that to be the appropriate response.

## PETITION

### WORKERS' COMPENSATION BOARD

**Mr. Speaker:** The member for Wellington. Interjections.

**Mr. Speaker:** I hope all members will give their attention to the member for Wellington.

**Mr. J. M. Johnson:** I have a petition, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We request the immediate establishment of a royal commission on the Workers' Compensation Board."

Interjections.

**Mr. Speaker:** There is a fair amount of commotion and conversations. Are there any other members wishing to present petitions?

**Hon. Mr. Conway:** Mr. Speaker, before calling the order of the day, I just want—if nothing else, in response to the member for Nipissing (Mr. Harris)—to add a more cheerful note by wishing the Solicitor General (Mrs. Smith) a very happy 60th birthday.

## ORDERS OF THE DAY

### TRADE WITH UNITED STATES

(continued)

Resuming the adjourned debate on the amendment to government motion 8 on the proposed trade agreement between Canada and the United States.

**Mr. Speaker:** The member for Stormont, Dundas and Glengarry wishes to continue.

**Mr. Villeneuve:** It is always a pleasure to continue on such an important subject. As I said yesterday, the cart is at the wrong end of the horse and this motion should actually be debated in the standing committee on finance and economic affairs.

Avant trop longtemps—je vois que le ministre du Développement du Nord (M. Fontaine) est encore ici; il n'était pas ici hier—j'aimerais tout simplement le mettre au courant de certaines choses qui ont été dites au sujet de l'accord de libre-échange, au sujet de l'industrie forestière.

M. Paul Zorzetto, préfet de Mattice, directeur général de Claybelt Lumber Ltd. de Hearst, fait un commentaire qui se lit comme suit:

«Je tiens à vous faire part de mon enthousiasme au sujet de cet accord et j'attends avec impatience son application. En tout cas et en tout temps, j'étais d'accord avec la politique du gouvernement canadien sur le libre-échange, la stratégie des négociations, et maintenant je suis très heureux des résultats.»

**Une voix:** Un homme de Cochrane-Nord.

**M. Villeneuve:** Un homme de Cochrane-Nord.

En voici un autre de la part de M. Jean-Jacques Carrier, vice-président et contrôleur de Consolidated-Bathurst:

«Nous prévoyons que la croissance économique au Canada sera quelque peu supérieure à la suite de la signature de cet accord. Par conséquent, les dépenses de consommation seront supérieures, ce qui se traduira par une hausse de la demande pour les produits de pâtes et papier.»



C'est ce que dit Jean-Jacques Carrier, vice-président et contrôleur de Consolidated-Bathurst.

I am pleased to see the Minister of Agriculture and Food (Mr. Riddell) return today. When I adjourned the debate yesterday, I was quoting some very important Ontarians regarding their thoughts on free trade. I had just finished quoting Charlie Gracey, executive vice-president of the Canadian Cattlemen's Association.

Dairy Farmers of Canada president Jim Waardenburg says as follows: "The dairy farmers' organization supports the proposed free trade deal with the United States because it guarantees the Canadian government the right to include any dairy products on an import control list. Also, quotas as we have known them stay in place. Supply-managed commodities are protected. What more could the agricultural industry ask?"

Another very prominent Ontarian, Grant Smith, chairman of the Ontario Milk Marketing Board, says as follows: "As representative of the OMMB, I am cautiously optimistic. We must continue to work with the federal minister, the Honourable John Wise, to ensure that yoghurt and ice-cream are also included on the protected list from the US. We must maintain historic levels, no more and no less."

Industry and government must work together. Those are the thoughts of Grant Smith.

A resident of my riding, Bert Sabourin from Monkland, president of the Egg Processors Association of Ontario, is very much in favour of free trade and would very much like to see free trade between provinces. I could go on.

The Minister of Agriculture and Food very recently made a statement. In part, it reads as follows: "The minister made it clear that he is not against an improved trading environment with Canada's largest trading partner, but he added, 'As far as I am concerned, a better trading environment should not be built by sacrificing the food processors of Ontario or, for that matter, our energy future, our auto industry or our sovereignty as a nation.'" Obviously, the Minister of Agriculture and Food has not read the free trade agreement, or statements like this would not be originating from him.

Mr. Wise stated as follows in a press release recently—le ministre fédéral de l'Agriculture, l'honorable John Wise, soutient une fois de plus:

«Les agriculteurs bénéficieront de l'entente du libre-échange avec les États-Unis. Les critiques, a rappelé M. Wise dans une entrevue, disaient que nous ne pouvions pas faire inclure dans l'accord sur le libre-échange l'article du

GATT qui protège les régies de commercialisation, mais nous l'avons fait.»

Supply-managed commodities are indeed protected, as I have just mentioned; so agriculture is getting a fair shake. I am most intrigued, pursuant to a question to the Premier (Mr. Peterson) on December 15 last year, where he obtained some information pertaining to a \$100-million loss by Ontario agriculture. The Minister of Agriculture and Food advised me that the report may very well be available. To this date, I am still awaiting the report. Is it the Informetrica Ltd. report from Ottawa that was alluded to today in question period?

Is it another report or is it pure speculation and scare-mongering tactics that this government is using? If indeed a report exists, I have requested this report from the Minister of Agriculture and Food and he has not produced it.

## 1510

Additional prominent agriculturalists made the following statements:

Canadian Chicken Marketing Agency; Nelson Coyle, communications manager: "Chicken farmers can live with the increased quotas, which won't have an overwhelming impact." That is the chairman of the Canadian Chicken Marketing Agency.

The Canadian Broiler Hatching Egg Producers' Association is likewise supportive of the free trade agreement.

The Canadian Pork Council; Martin Rice, executive secretary: "Our initial reaction is that, in the overall, the agreement is positive. It will take some time to assess some of the technical details, but the movement of meat, hygienic inspection, the phase-out of custom user fees and a dispute settling process that will save time and be final—these are all positive to the pork industry. While the industry supports an open trading environment, producers are very pleased that the right to future supply management, if required, is retained, because circumstances could change and it is important that that option remain open."

These are very prominent Ontarians and Canadians speaking in favour of the free trade agreement which was signed last Saturday.

It is always intriguing that the Premier was offered an opportunity to debate the free trade agreement with the federal Minister of Finance. The Premier, for whatever his reasons, has said: "No thanks. I still maintain opposition to this, but I would rather not debate." That sends a very clear message that somehow, somewhere this government and this Premier are now starting to



realize that the corner they are painted into is getting smaller and smaller.

During the past period of time a number of myths regarding free trade have been perpetrated. At this time I would like to expound a bit on the fact that some of these myths are indeed myths and they were used to make political points at best.

Under the General Agreement on Tariffs and Trade rules, generally available social programs are not countervailable. The United States has already examined fishermen's unemployment insurance benefits in past disputes and found that they are not countervailable. Under both GATT and chapter 5 of the free trade agreement, both countries can impose a sales tax to raise revenue to fund government programs, provided it does not discriminate against imported foods; for example, if all goods consumed in Canada or a province are taxed equally. The federal and provincial governments have long imposed sales taxes which allowed Canada to finance a wide array of social services while maintaining competitive corporate and personal tax systems.

We heard a very good presentation by the member for Ottawa South (Mr. McGuinty) yesterday, all wrapped up in the Canadian flag as a former university professor, saying that we had sold our cultural industry down the drain. He was speaking simply to what was and has been in place and remains in place. As the Minister of Culture and Communications of Ontario (Ms. Munro) admitted recently in question period, the cultural industry was indeed hardly affected at all by the free trade agreement. However, the Premier and this government have not seen fit to change their position.

Under GATT, subsidies are recognized as legitimate ways to promote regional development, but countries should not use subsidies which injure other countries. Subsidies are not illegal, only subsidies that cause injuries.

That is most important. I represent a riding in eastern Ontario. A number of my colleagues represent ridings in northern Ontario. These are the have-not areas of the province, and if indeed this government or the federal government were not able to provide special assistance to these different regions, I would certainly not be in favour of a free trade agreement. However, this stays in place. Regional assistance can be provided, providing it simply does not cause injury to another country, and that is fair game.

Under existing United States and Canadian law, subsidies are countervailable by the importing nation only if they are not generally available

and if the subsidized product materially injures a similar good in the importing country.

If a subsidy is found to be injurious, we can continue to subsidize if we want to, but our exports will be more expensive in the US market. The decision is ours.

The free trade agreement makes the threat of countervail even more remote. Article 1904 creates a binational panel which will lessen the risk of politically motivated use of trade laws. The process created will be faster, limiting the ability of US competitors to use trade laws to cause uncertainty in the marketplace.

Article 1903 requires that changes to counter-vail and anti-dumping laws will not apply to the other country unless they are specifically made applicable to the other. Consultations are mandatory with the other party prior to implementation. The binational panel can also be asked to rule on whether the new law is compatible with the General Agreement on Tariffs and Trade and the objectives of the free trade agreement.

Again I emphasize, this government has used GATT decisions time and time again as an excuse to fight free trade. They are very distinct and different, and we must recognize the difference between a GATT ruling and the free trade agreement.

Cultural sovereignty; very important. Again, the member for Ottawa South made a very impassioned presentation yesterday. However, article 2005 specifically indicates that, subject to four limited exceptions, nothing in the agreement affects Canada's ability to pursue cultural policies. Our Minister of Citizenship (Mr. Phillips) again confirmed that in this Legislature, pursuant to a question from my colleague the member for Mississauga South (Mrs. Marland).

The exceptions primarily are commercial matters. Article 401, the end of tariffs on musical instruments, cassettes, film, records, etc.; article 1607, fair market value purchase in a forced divestiture of a cultural enterprise; article 2006, copyright protection for cable retransmissions; article 2007, the end of the the printed-in-Canada requirement for eligible advertising expense deduction.

Those are the changes. I enjoyed listening to the member for Ottawa South, but really all it was was an impassioned speech, wrapped in the Canadian flag and stating that the status quo was very much the status quo as far as the cultural industry in Ontario and in Canada is concerned.

Are marketing boards at risk? That is a question that, throughout the election campaign, those of us who represented rural ridings were



confronted with on a daily basis. I must tell members that I met on numerous occasions with the Honourable John Wise and with people from his office, and I was reassured on every occasion that marketing boards would not be at risk. However, the Premier, the Minister of Agriculture and Food, and indeed all the Liberal candidates who were running in the September 10 election kept saying, "You will see an end to marketing boards and the family farm and all the rest of it."

The Minister of Agriculture and Food is still saying that. He had better get up-to-date, because indeed marketing boards are protected and I again will confirm it, as I have on several occasions during this presentation. Article 710 codifies Canada's existing GATT rights to maintain marketing boards and, I emphasize, create new ones.

**Mr. Laughren:** On a point of order, Madam Speaker: This is a fine speech that the member is making and I really think there should be a quorum here to hear it.

The Acting Speaker (Miss Roberts) ordered the bells rung.

1519

**The Acting Speaker:** A quorum is now present, would the member for Stormont, Dundas and Glengarry please continue?

**Mr. Villeneuve:** Canada retains the right to apply import restrictions on agricultural goods where these are necessary to ensure the operation of a domestic supply management or support program. Examples are ice-cream and yoghurt.

Article 706 sets out the increases in Canadian global import quotas on chicken, turkey, eggs, and increases which merely reflect the average levels of actual imports over the past five years.

The government of Canada has announced that two-price wheat in Canada will end with full compensation for grain farmers. I hope that the Minister of Agriculture and Food is negotiating to provide some assistance to our wheat producers who will be losing the two-price grain system. It was inevitable and it is happening. Let us be there, as a government, to provide support over a long period of time to cushion the blow that wheat producers in Ontario will be subjected to by the end of the two-price wheat system.

This will eliminate a major handicap for wheat-based food processors while removing the existing tax on domestic bread and other wheat-based products. Two-price wheat was introduced at a time of higher world grain prices in order to stabilize domestic prices. With the collapse of the grain prices in the last few years, it

has had the perverse effect of increasing consumer prices.

The Canadian trucking industry was concerned, and justifiably so. However, after the latter stages of the free trade agreement, I believe they can now sleep soundly. The services annex does not include transportation services. Like culture and social programs, the trucking industry is not affected by this free trade agreement.

Indeed, this happened towards the end of the negotiations when the trucking associations presented their concerns. This government could well have been doing that as well, but they were standing there, hooting and hollering, "We do not want a free trade agreement." They were not thinking positively in any way, shape or form.

"Free trade in apparel and textiles will wipe out the Canadian industry." That was being said time and time again during the electioneering leading to the September 10 provincial election. Who is afraid of whom? In fact, American fears of our highly competitive clothing manufacturers caused the US to demand a ceiling on the export growth potential of Canadian apparel made from third country fabrics.

A quota on such Canadian apparel exports has been set at a level six times above current trade levels, allowing Canadian apparel manufacturers to continue to increase their exports to the US while limiting American fears that Canadian imports will wipe out the US industry. A similar quota has been set for Canadian textiles made with foreign yarn.

Article 908 states that Canada's long-time obligation under the agreement of an international energy program to increase oil exports during a period of short supply takes precedence over the free trade agreement provisions on proportional sharing in reductions.

Does the free trade agreement allow for wide open investment in Canada? A good question. This is what the experts who have studied this say.

Articles 1602 and 1607 outline Canada's right to review significant direct acquisition proposals. Seventy-five per cent of the assets that are currently reviewable by Investment Canada will remain reviewable after the transition period.

Article 1603 recognizes Canada's continuing right to negotiate product mandate, research and development and technology transfer requirements with prospective investors.

Article 1607 grandfathers all existing foreign investment restrictions, for example, in key sectors like communications, transportation, energy, cultural industries and the like.

Article 1602 recognizes the ability of the competition tribunal to review anticompetitive mergers and acquisitions. In various sectors—for example, agriculture, procurement, trade-related investment measures—the two countries have agreed to work towards multilateral liberalization in the coming round of GATT negotiations.

Again, I emphasize that I feel GATT is much more of a threat to us as a province and to us as a country than the free trade agreement. The free trade agreement is an opportunity. GATT rulings are what we will have to watch considerably closer.

Au sujet de l'agriculture, le commentaire suivant de la part de Rudy Le Cours est tiré de La Presse de Montréal du 9 octobre: «Un examen attentif des termes qui touchent l'agriculture dans l'accord de libre-échange permet de conclure que le Québec devrait maintenir sa balance commerciale favorable avec les États-Unis.»

Un gouvernement libéral au Québec, un gouvernement libéral en Ontario: un gouvernement libéral au Québec qui est très positif au sujet de l'accord de libre-échange, un gouvernement libéral en Ontario qui est très négatif, sans trop savoir pourquoi.

Voici un commentaire du premier ministre du Québec, l'honorable Robert Bourassa, tiré du Devoir du 20 octobre:

«Il n'y a rien dans l'accord qui remet en cause les pouvoirs du Québec sur la protection et la promotion de la culture. Dans ma brève conversation avec le premier ministre canadien, on n'a pas passé tous les points en revue, mais j'ai insisté sur le fait que l'accord ne devait affecter l'autonomie culturelle de la province de Québec.»

Aucun problème avec la culture.

Voici ce que dit Philippe de Gaspé Beaubien, président-directeur général de Télémédia, tiré du Journal de Montréal du 6 octobre:

«Je suis heureux qu'un accord ait été conclu. Le secteur de l'édition a été épargné puisque la publicité sera déductible d'impôt dans les magazines détenus à 80 pour cent par des intérêts canadiens. La seule concession qui a été faite, c'est que les Américains auront droit aux subsides postaux, comme nous.»

Le libre-échange, conclut M. Philippe de Gaspé Beaubien de Télémédia, sera peut-être l'occasion pour son groupe d'aller du côté américain, une position très positive.

Voici un commentaire de la part d'Alain Dubuc, tiré d'une rubrique de La Presse du 10 octobre 1987:

«Quand John Turner a commenté l'entente, on croyait entendre un député rural des années 50. Celui qui fut brièvement premier ministre a carrément affirmé, au mépris des faits, que le pacte de l'auto disparaîtrait, que la culture canadienne perdait toutes ses protections, etc.

«Pierre Marc Johnson, qui partage avec M. Turner l'honneur d'être le chef en perte de vitesse d'un parti en perte de vitesse, adopte la même approche, où l'excès verbal est inversement proportionnel à la maîtrise des dossiers.»

Voici encore une autre citation, tirée de La Presse du 30 octobre: «On comprend mal que les députés libéraux fédéraux, dont l'ancien ministre québécois des Finances, M. Raymond Garneau, ex-président d'une importante institution bancaire, puissent s'opposer à l'accord» du libre-échange.

Ce qui suit est tiré du Journal de Montréal du 28 octobre: «Robert Bourassa a fustigé le chef néo-démocrate et le Toronto Star»—on réalise, même au Québec, que le Toronto Star est impliqué, avec les libéraux ontariens—«pour leur opposition au libre-échange, signalant que ceux-ci devraient regarder au-delà de l'Ontario et constater ce que ça apporterait aux autres régions du pays, avant de dire que le Canada est à vendre avec cet accord.»

Je pourrais continuer indéfiniment. Nous avons des gens très nombreux qui n'ont pas eu peur de se prononcer en faveur de cet accord avec les États-Unis.

Voici un commentaire tiré d'un éditorial de La Presse du 8 octobre:

«Dès le début, le Toronto Star a été un point de ralliement pour les adversaires du libre-échange, ce qui a toujours donné une saveur un peu ontarienne à ce point de vue. Sa réaction au projet d'accord avec les États-Unis était donc prévisible. Mais son négativisme, dans un éditorial en première page, est vraiment décevant....»

«Le tableau de chasse du Toronto Star est maigre, ce qui me fait penser que le projet d'accord est plutôt bon.

«Allons, Toronto Star! Le Canada va de Victoria à Saint-Jean, non de Kenora à Cornwall, et le ciel ne nous tombera pas sur la tête en l'an 2000.»

Je pourrais continuer, mais je crois qu'on réalise tous qu'il y a des situations dont la province de l'Ontario bénéficierait pleinement, comme l'ont exprimé de nombreux gens qui n'ont pas eu peur simplement de le dire et de le redire. On essaie de convaincre mes collègues libéraux ici, mais ils semblent n'avoir aucune



façon. Ils veulent tout simplement suivre, pas à pas, le premier ministre ontarien.

Free trade means greener pastures. The Canadian Cattlemen's Association; Hugh Sharp, president, states that without a free trade deal, the cattle industry here in Ontario, and indeed in Canada, would likely be subject to countervail action, to surtaxes, as the hog industry is at present.

Canadian farmers export almost \$3 billion in agricultural products to the United States and sought conditions which would make their access to the US market both more open and more secure. At the same time, they did not want to impair either existing marketing systems for dairy and poultry products or the right to implement new supply management programs and import controls in accordance with our international obligations.

The government thus had three objectives in the agricultural areas: to improve access to farm products, to make that access more secure and to preserve Canada's agricultural policy instruments. The agreement meets all three objectives, as was stated initially by the Minister of Agriculture for Canada, the Honourable John Wise.

This is an important package of trade liberalizing measures. Agricultural products will benefit from the increased security of access flowing from the arrangements on the dispute settlement mechanism, and nothing in the agreement will in any way affect the right of the federal government and the provinces to introduce and maintain programs to protect and stabilize farm incomes.

The principal trade liberalizing elements agreed to in agriculture are:

Article 701, prohibition of export subsidies on bilateral trade. This marks the first time that any two governments have agreed to prohibitions on export subsidies in the agricultural sector and marks an important signal to other countries around the world.

Elimination of Canadian western grain transportation rail subsidies on exports to the United States shipped through Canadian west coast ports. The provision does not affect shipments through Thunder Bay or exports to third countries through west coast ports.

Articles 401 and 702, the phased elimination of all tariffs over a period of 10 years. Canada is allowed to restore temporarily tariffs on fresh fruits and vegetables for a 20-day period under depressed price conditions, in order to give Canadian horticulturalists an opportunity to adjust to more open trading conditions. This

snapback provision applies only if the average acreage under cultivation for that product is constant or declining. Acreage converted from wine grape cultivation is not included in this calculation.

Mutual exemption from restrictions under meat import laws, thus ensuring free trade in beef, veal and pork. Canadian beef and veal producers have in the past found their exports limited as the US triggered its meat import restrictions or sought voluntary export restraints. Both countries have agreed to consult and take measures to avoid diversion, should either country apply its meat import laws against third countries.

The Canadian global import quotas on chicken, turkey and eggs have been set at average levels of actual imports over the past five years.

An exemption for Canada from any future quantitative import restrictions on products containing 10 per cent or less sugar. The US enjoys a waiver under the General Agreement on Tariffs and Trade to impose restrictions if imports are interfering with US price support programs. Without this exemption, further products could be included.

Rights and obligations, including article 11 of GATT, are retained for all agricultural trade not specifically dealt with in the agreement. In other words, if we qualify under GATT, we qualify under the free trade agreement; indeed, the free trade agreement was based on the GATT restrictions. For example, Canadian dairy farmers will continue to benefit from supply-managed programs as they are not affected by the agreement and are consistent with Canada's GATT obligations.

As I mentioned yesterday in French, and want to repeat in English, I have in the riding I very proudly represent a fairly large dairy processor known as Ault Foods. They are situated at Winchester, and I am sure most of the members in this Legislature have heard of them. Ault Foods produces excellent cheese.

As a matter of fact, there is a gentleman who works there by the name of Réjean Galipeau, a native of St. Isidore de Prescott now living in Winchester. He is a champion. He is not an Ontario champion, not a Canadian champion and not a North American champion, but a world champion cheesemaker. In 1986, he won the world championship in Wisconsin, the dairy state of the United States.

This government would have probably told this gentleman, a champion cheesemaker: "Don't go to the States. They will not give you a

fair deal. Stay in Canada. You have won at the local fairs. That is good enough." But for this young man it was not good enough and he became a world champion.

**Mr. Wildman:** You mentioned this yesterday.

**Mr. Villeneuve:** If the member for Algoma had a world champion in his riding, he would be proud of it too. I want to tell the world that I am very proud of him and we, as Canadians and as Ontarians, can continue to be at the top of the heap.

**Mr. Wildman:** Don't be repetitive.

**Mr. Villeneuve:** I am not being repetitive. I am emphasizing very much in the same fashion as some of the Liberal candidates. Does the member for Algoma recall whether they were repetitive leading up to September 10? World championship cheese comes from Ault Foods in Winchester—I emphasize that—in the riding of Stormont, Dundas and Glengarry, and east Grenville.

**Mr. Dietsch:** We want to hang on to our world-class wine to go with the cheese.

**Mr. Villeneuve:** Again, I told the member for St. Catharines-Brock yesterday that the Liquor Control Board of Ontario has its hand in the hip pocket of the grape producers through the wine industry and does not want to let go. That is where the problem is. It is a GATT decision we have, not a free trade agreement problem. It is a GATT decision, and we are a signatory to it.

**Mr. Wildman:** It is all McKeough's fault.

**The Acting Speaker:** Order.

1540

**M. Villeneuve:** «Aucune région du Canada n'a plus à gagner dans l'accord que la province de l'Ontario. L'économie de cette province, c'est dans une large mesure construit sur un commerce avec les États-Unis, qui absorbent aujourd'hui plus de 90 pour cent de nos exportations. Comme plus des deux tiers de ces exportations proviennent du secteur de l'automobile, le gouvernement s'était fixé deux objectifs dans les négociations: préserver les avantages du pacte de l'automobile et élargir les possibilités de croissance de cette industrie. Ces deux objectifs ont été bel et bien réalisés. Compte tenu de l'importance de l'industrie automobile pour les deux pays, un comité sélect sera établi et chargé de recommander des mesures de politiques gouvernementales et des initiatives privées visant à améliorer la compétitivité de ce secteur.

«L'élimination progressive des droits de douane au cours des 10 prochaines années permettra d'effectuer plus d'activités de transformation en Ontario. Les exportations ontariennes d'électricité seront mieux protégées. Cette province pourra continuer de compter sur un accès garanti au charbon américain pour ses aciéries et ses centrales thermiques et verra le marché américain s'ouvrir à notre uranium.

«Les agriculteurs ontariens, dont la production dépasse celle de toute autre province, bénéficieront d'un meilleur accès au marché américain. D'autre part, les intérêts des producteurs de produits laitiers, de produits avicoles et d'oeufs ont été sauvegardés. Les offices de commercialisation restent en place et la capacité de mettre en oeuvre, au besoin, de nouveaux programmes de gestion des approvisionnements et des restrictions à l'importation est maintenue.

«S'agissant de la bière, l'accord ne modifie aucunement les pratiques canadiennes en existence. L'industrie vinicole, de son côté, bénéficie d'un délai d'adaptation de sept ans avant de livrer concurrence à l'industrie américaine sur un pied d'égalité, une décision qui avait été prise par l'entente GATT.

«De nouvelles perspectives s'offrent également à l'industrie des services financiers. Les industries de services, qui emploient 70 pour cent de la population active au Canada et qui sont concentrées en Ontario, bénéficieront grandement d'un meilleur accès au marché américain pour leurs services et leur personnel.»

Quand nous apprenons que la Coopérative fédérée de Québec favorise l'accord de libre-échange, ça en dit long sur ce sujet pour les industries de transformation. Je ne veux pas me répéter, mais par contre, il faut se rappeler toujours que l'accord du libre-échange nous donne accès à une population de 250 millions, notre plus grand partenaire économique.

I am winding down. I have taken almost enough time but I want to touch on the energy sector prior to giving my place to one of my colleagues.

How does our energy fit into the trade deal? First, Canada is under no obligation to supply energy to the United States. Private energy producers can sell to whomever they want. Presumably many will take advantage of the impediment-free access to the US market envisaged in the deal. This will increase the cross-border flow of oil, gas and hydro sales, but the agreement does not create a continental energy market. It lifts the restrictions that were preventing one from developing.



Second, the Canadian government is not guaranteeing American access to our energy supplies. It is allowing them into the market on the same footing as Canadian buyers. Is there something wrong with supply and demand?

Finally, Ottawa is not giving up its control over Canadian energy supplies. The federal government still has the right to limit energy consumption for reasons of conservation, domestic price stabilization or short supply. The National Energy Board still has the power to ensure that Canadian energy companies offer their domestic customers at least as good a price as their foreign buyers.

The tax on energy: departments can continue to offer incentives for oil and gas exploration and development in the north and offshore. In the agreement, Canada relinquishes the right to control the price of energy exports by government action. This means the government would not be able to implement a Canada-first policy insulating domestic consumers from the suffering of an energy-short world.

The actual allocation scheme would have to be worked out at the time of the emergency, but the trade negotiators will draw up a formula for calculating how much energy the US would be eligible to buy. The American proportion of the available supply would be based on its purchases as a percentage of Canada's entire energy pool, both production and proven reserves, for the 36 months prior to cutbacks.

Alberta and Saskatchewan oil producers are for the most part thrilled with the plan. To them it means a bigger, richer, more stable market for their goods. It holds out the promise of a major increase in the \$10 billion worth of oil, gas, electricity and uranium Canada exports to the US annually.

Eastern consumers are understandably uneasy. After being told for a decade by Ottawa that energy self-sufficiency is Canada's best insurance policy in an uncertain world, they are being asked to give up their protection; and after assuming for years that the west's oil and gas were part of their birthright, they are being asked to sell their inheritance. This is, of course, not the case.

J'aimerais simplement prononcer quelques mots au sujet d'un reportage fait dans *Le Droit* du 12 novembre 1987. C'est au sujet de l'industrie vinicole en Ontario:

«Si le litige n'est pas résolu entre les parties impliquées à la date indiquée, le jugement devrait alors, nous dit-on, être rendu public. S'il faut se fier à la tradition, disons que le Canada a

la réputation d'être respectueux du traité du GATT.

«La Communauté économique européenne ne digère pas les pratiques commerciales du Canada», et de l'Ontario, «en matière de vente de vins, d'alcools et de bières importés car les régies provinciales limitent l'accès de ces produits et ont une politique de prix qui avantage les producteurs canadiens (c'est du moins le cas de l'Ontario, du Québec et de la Colombie britannique).

«Quand on sait, par exemple, que la majoration de prix (sous forme de taxes) est de plus de 60 pour cent en moyenne au pays pour les vins importés, on comprend facilement l'indignation des producteurs européens qui ont fait pression pour forcer la CEE à réclamer l'arbitrage du GATT.

«Le mot arbitrage est d'ailleurs bien choisi car un jugement rendu par le GATT n'a aucune valeur coercitive. Toutefois, un pays qui ferait fi d'un tel jugement s'expose à des représailles commerciales.

«Dans le cas de la CEE, le Canada accuse les pays membres de subventionner leur secteur agricole d'une façon si généreuse que nos producteurs de l'Ouest et du Sud de l'Ouest n'ont pas les moyens de concurrencer sur le marché européen. Lors du récent voyage de M. Mitterrand au Canada, nos producteurs de la Saskatchewan ont eu l'occasion de l'apostropher sur la question, mais le président de la France est si habile à jongler avec les mots que tout ce beau monde se gratte encore la tête pour savoir» ce qu'il a bel et bien dit.

«En ce qui concerne l'industrie de la bière, sachant qu'elle a été exclue du pacte canado-américain sur le libre-échange, il y a lieu de croire»—

**Mr. Dietsch:** Madam Speaker, on a point of order: I am really enjoying the honourable member's presentation, but I find it somewhat persistent of him to continually repeat himself with respect to the issue. He did cover this issue yesterday quite extensively in English. I do not understand the need to repeat it today in French. I would certainly like a ruling on that, Madam Speaker.

**The Acting Speaker:** I am sure the member for Stormont, Dundas and Glengarry will be getting to his point immediately.

**Mr. Villeneuve:** Very shortly. I am on the point of free trade, Madam Speaker, continuously.

**Mr. Laughren:** A heroic assumption, though.

**Mr. Villeneuve:** I understand the member for St. Catharines-Brock (Mr. Dietsch) has a little difficulty in accepting some of the things this government is to blame for, and I really do not blame him for getting up on a point of order, because there are things that are just a little bit itchy. However, that is understandable.

**Mr. Dietsch:** Just stick to the point.

**Mr. Laughren:** Why should he stick to the point when Sterling Campbell never does?

**The Acting Speaker:** Order.

**Mr. Villeneuve:** I will not touch that one, Madam Speaker.

«Ainsi, faut-il se demander comment Ottawa s'y prendra pour convaincre une province, comme l'Ontario par exemple, d'adopter des mesures qui pourraient inévitablement pousser à la faillite ses producteurs de vin du Niagara, de même que nombre de vignerons de la même région?

«Et que dire maintenant des quelque \$670 millions de profits que la Régie des alcools de l'Ontario verse par année (1987-1988) dans les coffres de» la province de l'Ontario?

«En réduisant sa part de profits sur le vin importé (qui est de 66 pour cent),» les deux tiers, Madame la Présidente, «la régie aurait tout de même un manque à gagner qu'une consommation accrue, à cause de prix plus alléchants pour le consommateur, ne pourrait sûrement combler. Le gouvernement d'Ottawa est-il disposé à combler la différence?» La question se pose toujours.

«On voit donc que ce jugement du GATT ne peut donner lieu à des changements précipités dans notre politique canadienne de commercialisation des vins, des alcools et de la bière.»

In summation, I am a member of the standing committee on finance and economic affairs. I enjoyed participating in this debate. However, the timing was totally wrong. This motion, motion 8, had no business in this Legislature until the committee on finance and economic affairs had a chance to travel throughout the province and receive unfettered input—

**Mr. Miller:** That is your opinion; that is personal.

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**Mr. Villeneuve:** That is not personal. That is the way this Legislature always operated until 94 members of the Liberal organization joined it. All of a sudden it became, "We do as we please; thank you." That is exactly the way things are, no respect at all for the opportunity—

**Mr. Callahan:** He is in summation. Let's get on with it.

**Mr. Miller:** For 42 years it was carried out by the other side; the shoe was on the other foot.

**Mr. Speaker:** The member for Stormont, Dundas and Glengarry has the floor. Thank you very much.

**Mr. Villeneuve:** I know the Liberal members do not like to hear the truth put to them in such a straightforward manner, and I really do not blame them because there are many times when, I am sure, they would like to tell their cabinet members and their Premier the way they really think about this. However, they know they have to tow the party line. I see them and they are doing it. I guess I understand that for the brass ring that was referred to yesterday, it is the only way for it to be achieved.

Mr. Speaker, thank you very much for the opportunity of participating in the debate. I look forward to sitting on the standing committee on finance and economic affairs in spite of motion 8.

**Mr. Eves:** I rise today to participate in what should be a very historic debate in this Legislature, a debate that should determine whether this province is to accept the challenge before us, the challenge of free trade with the largest market in the free world, or whether we are going to simply hide behind a wall of protective tariffs, afraid of change, afraid of competition and afraid to realize our greatest potential.

Yes, this should be a debate of historic proportions; yet it is not and that is because this government has chosen to turn its back on parliamentary tradition. This government has already decided what the position of Ontario will be with respect to free trade. It has made this decision without the benefit of debate and in fact without the benefit of even having read the document before it took its position. David Peterson met with his socialist counterpart from Manitoba and his Liberal friend from Prince Edward Island to form a joint front against the free trade agreement even before the text was made available.

Nothing we say here in this House or later in committee can or will make a difference. We can only hope that the people of this province of Ontario will be as offended by the blatant arrogance of this government as are those of us who sit here every day and have to witness it each and every day, day in and day out.

At the outset, I must voice my displeasure with the tactics that have made this prolonged debate necessary in the first place. I was at the meeting of the House leaders and whips in the govern-



ment House leader's boardroom on December 10, 1987. If I may read from the minutes of that meeting, which were typed by the government House leader's own staff, "For the remainder of the week, motion to refer free trade agreement to finance committee."

That is not what we see on the order paper here before us today at all. What we see is a substantive resolution, not the agreement that was made among the six people present at that meeting. The government has not honoured the commitment and the agreement it made at that meeting. It chose this instead for some reason or other, be it the government House leader who decided to do this or somebody in the Premier's office who decided at the last moment that this would be a great idea. We are not privy to that information, so we do not know how the government arrived at coming up with this substantive motion, which in fact denounces the free trade agreement instead of sending it out to committee, which is the way business has operated in this House for well over 100 years.

When we send something out to committee, we actually want to hear what the province and the people of Ontario have to say, but apparently David Peterson and this government do not operate that way. They did not want a simple referral motion. They did not want the committee process to be meaningful. They do not really care what people tell them when they go to committee because their minds are made up. What is the point in spending several thousands, if not hundreds of thousands of dollars of the taxpayers' money—

**Mr. Dietsch:** Are you going to change your mind after you have listened to the people of Ontario?

**Mr. Eves:** I may, which is more than I can say for the member.

The simple fact is that the normal way to refer anything out to committee is by a very simple referral motion. We do it here in this House every day, whether it is a piece of legislation, a report of some sort, or in this case the text of the free trade agreement.

**Mr. Callahan:** More water.

**Mr. Eves:** I may need that before I am done.

That is the way business carries on in this Legislature and has carried on for many years. I am sure that if a simple referral motion had been dealt with in this Legislature, as was agreed upon by all concerned on December 10 in the government House leader's office—the government whip is sitting in the House and he knows

that as well as anybody and so does the official opposition House leader.

**Mr. Reycraft:** I was there too, Ernie.

**Mr. Eves:** That is what we agreed upon and that is what is worded in the government House leader's own minutes. Instead, we have a substantive motion which denounces the free trade agreement. As our House leader has indicated to the Speaker—I presume at the end of this debate the Speaker will rule on whether the committee even has any business hearing the free trade text and whether it has any business going out to public hearings, because there will be nothing to refer back to the House. Once they vote on this substantive resolution, they will have already determined where the Legislature of Ontario stands on this very important point.

It would have been very easy to have delayed this debate until after the Christmas break, a time everyone likes to spend with family and friends, but this government, the Liberal Party, chose to flex its considerable muscle in the Legislature and force the House to sit through the break. What we are involved with here is an attempt by the Liberals to circumvent the parliamentary system by undermining the committee process with the introduction of a resolution that, if passed, would render the entire committee process moot on this matter.

**Mr. Neumann:** That is not the perception the people of Ontario have.

**Mr. Eves:** No? Maybe it should be explained to the people of Ontario how the government reneged on its word, did not deliver on a commitment it made, so that it could hopefully trot its little resolution to the first ministers' meeting a few Thursdays ago. From our point of view, that was the purpose of introducing a substantive motion instead of the referral motion agreed upon by all parties at the meeting.

To get back to my train of thought, the government did this simply because the Premier is involved in a personality war with his federal counterpart. He wanted to have a resolution that he could wave in front of the Prime Minister's nose before he signed the free trade agreement. That would not have had any substantive effect at all upon the free trade agreement. It would simply have been indulging in a political game. I think that speaks volumes about the Premier's attitude towards this very important issue.

From the very start, this has been nothing more than a political game for the Premier of Ontario. He sat on the fence on this very crucial issue until an election was called. Then he backed himself into a corner so that he could fight the election,

not on issues but against the federal government, which at that time was floundering in the polls. Now the Premier is faced with the prospect of having to oppose the agreement simply for the sake of opposing the Prime Minister of Canada.

I am convinced that had there been no election in 1987, the Premier would have been standing in the House supporting this agreement. It is unfortunate because there are many Liberals across the floor who have privately expressed desire to support the agreement. Indeed, it must be very difficult for the Minister of Industry, Trade and Technology (Mr. Kwinter), who has the reputation of being a very astute businessman, to prance around the province singing the Premier's tune.

The Premier of Ontario, who only this past summer travelled around promising a new visionary government for Ontario, seems to have become arrogant and reactionary almost overnight, espousing old values and tired ideas instead of progressive policies that could carry this province into the 21st century as a prosperous economic power.

David Peterson has failed in this area in his role as Premier because there comes a time when a Premier must accept the mantle of responsibility which rests upon his shoulders. There is a time when he must put aside his petty, political motives, when he must move beyond the arrogance of power to do what is right for the people he represents, to give the people of this province the leadership they expect and the future they deserve.

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It is not simply a matter of winning elections and playing political games. What we are dealing with in this very important matter is the future ability of Canada to compete successfully in a more volatile world economy. The free trade agreement is an instrument which will help this country to meet this challenge head on. It is time that David Peterson got serious about the issue.

**Mr. Speaker:** I am sorry to interrupt the honourable member, but he has again referred to the Premier by name. The usual procedure in this House is to refer to members by their ministry or as Premier or as the member for such and such.

**Mr. Eves:** I shall try to keep that in mind, Mr. Speaker.

**Mr. Speaker:** Thank you very much.

**Mr. Eves:** The Premier has said on several occasions that it is not free trade he opposes but simply this particular agreement. I do not know whether to believe that or not, since the Premier

opposed the agreement before he even saw its contents. However, if we are to take him at his word, I have a couple of questions.

Instead of continually opposing the agreement, why has the Premier not offered helpful suggestions as to how the agreement could be bettered? Why has he not begun now to ensure that Ontario will benefit to the utmost in the very likely event that the free trade agreement is passed into legislation, or is he just going to sit on the fence until it is too late, like he did with softwood lumber? When is he going to introduce measures that will dovetail with federal initiatives designed to assist those who may be displaced during the transition period? If this agreement is so flawed, when is the Premier going to put forth his own detailed alternative?

I suspect that the answers to these questions will never come, because the Premier is apparently content to criticize without being constructive. He has set forth some conditions and criticisms but he has never elaborated. He has never offered detailed improvements. That is because this is about as good an agreement as anyone could have negotiated. It is not perfect, but it is probably the best that could be achieved between two nations.

I would like to take some time to talk about the free trade agreement and to address some of the conditions and criticisms set forth by the Premier of Ontario. During the election campaign, Mr. Peterson laid down six conditions—pardon me, the Premier laid down six conditions—

**Mr. Speaker:** Thank you.

**Mr. Eves:** —which he said had to be met before he could lend support to such an agreement. They were good conditions. They were well founded and very similar, by the way, to the conditions established by the federal government at the outset of negotiations.

The first condition was that there had to be an effective and acceptable dispute settlement mechanism. We agreed because without such a mechanism the free trade pact would be largely symbolic. Where we disagree is on what can be deemed acceptable. For the Premier, acceptable would be to have the Americans surrender their sovereign right to make legislation with respect to US trade. I see the member for Kitchener (Mr. D. R. Cooke) nodding his head in agreement. Obviously, that would not be acceptable to Americans, nor should it be a desirable goal for any Canadian who respects the sovereignty of any nation of the world. An agreement that is going to stand the test of time is an agreement which must be fair.



The Premier has also deemed the dispute settlement mechanism as being ineffective. There are some people who do not agree. I would like to quote some eminent and qualified sources.

The Business Council on National Issues in a news release dated October 21, 1987, stated: "Some critics are suggesting that what has been accomplished in the area of dispute resolution is of little consequence. They are wrong. By international standards, these components of the agreement represent significant progress in the application of the rule of law to a large and complex two-way trading relationship."

The Honourable Peter Lougheed and the Honourable Donald Macdonald, co-chairmen of the Canadian Alliance for Trade and Job Opportunities, have stated: "Very significantly, disputes in the final instance may be appealed to a binational tribunal that will issue binding judgments. Some have argued that this aspect of the new agreement is of little consequence. We disagree. It brings to the relationship badly needed discipline and provides the basis for establishing over time a single set of rules that will govern the very complex area of subsidies."

Robert MacIntosh, president of the Canadian Bankers' Association, says: "I think it is a tremendous achievement. It shows the Americans wanted a deal after all, and it is tremendous news for Canadians. The dispute settlement mechanism is a wonderful development. It is going to make all the difference in the world when there is a dispute over merchandise such as softwood lumber."

Paula Stern, past president of the International Trade Commission, "The dispute settlement mechanism defined by the accord, in principle, represents a clean progress and should dissipate the number of irritants between the two nations."

Alan Rugman, University of Toronto, was quoted as saying, "The panel offers a mechanism for Canada to influence and potentially reverse the questionable investigative practices of Americans in their gathering of data and analysis."

Allan Bellard, executive director, Eastern Fishermen's Federation, says: "The way I have read the deal is that there will be an independent tribunal which will keep the Americans honest in their interpretation of their own laws, and that is all we can expect, because their own laws aren't really all that unjust. It is just the way they have been interpreted and applied in the past."

Our country, too, has a set of countervail and antidumping laws. The laws are there to ensure that we have some recourse in the event of unfair trading practices by any nation. We should not

give up the right to retaliate when necessary, and nobody is arguing that point, but neither can we expect the United States of America to give up that right.

The problems that have arisen over the past few years stem from the notion among Canadians that American laws have not been justly applied, that American tribunals have succumbed to political pressure. Canadian complaints have not really been directed at the substance of US laws, which closely resemble our own, but rather at the application of those laws.

Now we have a very detailed method of ensuring a fair application of both countries' laws, which discourages capricious action. This is a right that no other country has in its trading relationship with the United States of America, and I can tell members that there will be many countries clamouring for just such a right and just such an agreement.

This dispute settlement mechanism is a very important breakthrough in international relations, one which will likely have a very significant impact on the General Agreement on Tariffs and Trade discussions. For the very first time, Canadians will have a voice in what is found to be fair trading practice. Canadians will be able to argue their case in front of a binational tribunal instead of being restricted to an American tribunal where political pressures can be brought to bear on the decision.

For the very first time, Canada and the United States will strike a working group whose mandate it will be to develop over the next five to seven years "a set of mutually advantageous rules governing government subsidies and private anticompetitive pricing practices, such as dumping, which are now controlled through the unilateral application of countervailing and antidumping duties."

Now Canada has a say not only in the review of countervail and antidumping orders but also in the formation of such governing legislation. This is indeed a breakthrough and hardly ineffective, as the Premier has suggested. The Premier has gone further, though, to say that regardless of how good or bad the provisions are, they are not enforceable.

#### 1610

I would say to you, Mr. Speaker, and to everyone in this chamber that this agreement and the dispute settlement mechanism included in it are as enforceable as any treaty in the history of the world. In attacking this agreement as unenforceable, the Premier is in fact saying that the signature of the President of the United States

on this agreement is worthless, that every treaty entered into in the world is indeed worthless, because the good word and good faith represented by signatures to a treaty are not worthy of trust.

In so doing, the Premier impugns the very integrity of all international law, for the law of nations has as its foundation nothing more than the good intentions and the good faith of nations which freely enter into treaties. The law of nations is based on agreements and the spirit from which such agreements emanate.

It is a grave thing indeed for a nation to contravene a treaty into which it has entered. I submit that such action would not be taken lightly, as the Premier seems to suggest. The Premier either displays complete naïveté—to be generous—or a disgusting degree of arrogance when he stands in this House purporting to pass judgement on the integrity of international law.

I would put to you, Mr. Speaker, that the dispute settlement mechanism does provide enforceability, since a contravention of the agreement could result in the complete termination of the agreement. It provides for an impartial application of current antidumping and countervail duty laws and it provides for the negotiation of better, more agreeable rules. A brilliant piece of work on the part of the negotiators, it is a system which promotes bilateral harmony, conciliation and co-operation, all ingredients which are necessary for a lasting agreement of any kind.

The Premier's second condition was that the right to reduce regional disparities and promote regional industrial development must be maintained. The government has a whole array of tax measures which can be used to help reduce regional disparities and promote development. The free trade agreement in no way prohibits the use of these measures so long as they are fairly and equally applied to Canadian and American investors alike.

The official opposition would like to say that the free trade agreement would prohibit lower hydro rates for those in northern Ontario. It seems to me that if the government were intent on helping northern Ontarians, it could institute a special northern tax credit that could be determined as a percentage of hydro costs. But this government has not even introduced the tax credit it promised in the 1985 election campaign, an indication that it is not really altogether serious about helping depressed regions in Ontario.

The objects of this agreement are not to inhibit regional growth but rather to prevent flagrant

discrimination against the trading partner. I would add that the prosperity which will surely result from the free trade agreement will give our economy the strength to support the social safety net that distinguishes Canada as a tolerant, compassionate and generous nation.

As the Treasurer (Mr. R. F. Nixon) well knows, the current need for spending in all departments, but particularly in the ministries of Health and Community and Social Services, cannot be met unless we, as a government, can find greater sources of revenue. Unless the Treasurer wants to increase taxes to an intolerable level, he must act to ensure an economic vitality which will produce the needed revenue. The free trade agreement will provide the necessary fuel for that economic growth in Ontario and in Canada.

The third condition stated that the viability of the family farm must be safeguarded. The free trade agreement in no way impairs the ability of the government to establish and maintain marketing systems, price support and farm income stabilization programs. As the Premier will know, there is very little that our two nations can do to effectively liberalize trade in agriculture, since the world market itself is highly distorted by various forms of subsidies. The real progress in this regard will come from the GATT negotiations. However, Canada and the United States have agreed on a number of measures to help liberalize bilateral trade between the two countries.

As a result, a great many farmers will gain substantially from this agreement. Meat import restrictions will be lifted. Technical applications and the capricious application of them, which have in the past acted as barriers to Canadian pork producers, will be reduced and the two countries will work to negotiate a common inspection process.

These measures will give Canadian farmers greater and more secure access to the giant American market. In addition, US grain support levels, long a bone of contention between Canadian and American grain producers, will over time be reduced to Canadian levels, thus allowing for fair competition and a reduction in surplus levels for our farmers.

Canada has also received special consideration with respect to fresh fruits and vegetables. A snapback provision will allow for a restoration of tariffs for a 20-year period during depressed price conditions, provided the total acreage does not increase. It is important to note that this snapback right will not be diluted if Canadian grape



growers move into production of fruits and vegetables. This is a one-way benefit. Americans are not given the same recourse.

It would appear that the removal of discriminatory pricing of wine and distilled spirits was inevitable. The federal government foresaw this and sought to negotiate a workable deregulation. I believe to a large extent they were successful.

The family farm has a greater chance of survival under free trade than it would have had in the protectionist environment that will surely follow if this agreement fails to be implemented. Anybody who doubts that only has to look around at what has happened in the last year with respect to the United States—softwood lumber, shakes and shingles, to mention a few.

The Premier's fourth condition requires a means by which foreign investment can be screened. That is bold statement from an individual who leads the government that has just opened up the securities industry to foreign investment by legislation of its own last year. In doing that, the provincial government robbed the federal negotiators of an excellent bargaining tool, one which could have extracted more concessions and greater assurances of amendment to the Glass-Steagall act governing US financial institutions.

Here is a Premier who is espousing on the one hand, criticizing the means by which foreign investment can be screened, who opened up the floodgates in Ontario with legislation of his own last year. I agree that there should be some means of screening foreign investment, but that process should not be so onerous as to discourage foreign investment. Foreign investment is crucial to the continued growth of our economy in the future, as it has been in the past. The idea is to strike a balance, which I feel the federal government has succeeded in doing.

The fifth condition concerns cultural identity. The Premier has stated that the government must be able to promote and preserve Canada's cultural identity. There is absolutely nothing in this agreement that prevents this. The agreement is an economic contract between two trading partners. It encourages competition, not assimilation. I would think that competition would strengthen Canadian pride and, thereby, cultural identity.

Surely the Premier would not suggest that Canadian sport teams should refrain from competing in international tournaments for fear they might become less Canadian. On the contrary, such competitive environments foster a greater feeling of national identity, not the other way

around. Thus, through free trade Canadians will have the opportunity to show that they can compete and win. The agreement will encourage businesses to become the best in their field. This will be a great source of pride to Canada.

#### 1620

The final, and perhaps most important, condition set forward by the Premier was that the auto pact had to remain intact. Members of this House may well recall that it was the Progressive Conservative Party of Ontario that introduced a resolution last spring demanding that the protection of the auto pact be a fundamental requirement of any free trade deal. We felt this was an important position to take, given the significance of the auto sector to the Ontario economy. Over one third of all export trade, worth about \$34 billion a year, is in the auto sector. In addition, over 140,000 Canadians are employed in this crucial industry. Thus, no free trade deal could possibly be signed unless the auto pact was protected.

Over the last few years, one of the biggest threats to the survival of the auto pact arose from the fact that some foreign auto manufacturers which were not original members of the auto pact were allowed duty-free access to the United States market by establishing in Canada and thus meeting minimum standards of content. There was little or no consultation with the United States on this matter. As well, Canada was offering duty remissions and waivers on goods imported for the express purpose of vehicles being exported to the United States. Many feel that this was a very unfair subsidy.

While these measures may have created a few jobs, they placed thousands of jobs at risk because the Americans viewed these practices as serious breaches of the intent of the agreement, which, of course, was to strengthen the North American automobile industry. As a result, several Americans had begun to press for a renegotiation or termination of the auto pact, as well as countervail action.

The free trade agreement has endeavoured to re-establish a sense of fair play with respect to automobiles. No longer will there be a back entrance into either auto market. Provisions specifically enumerate the companies which will receive auto pact status, along with their benefits and their obligations. Rules of origin have been changed to strengthen the North American content of vehicles traded under the auto pact. Previously, many indirect costs of production, such as overhead, were included in the requirement that 50 per cent of the invoice price of



vehicles traded be incurred in North America. This has been changed so that only direct costs of production can now be used in the calculation.

It has been estimated that this will result in approximately 20 per cent more North American sourcing and production. While American firms will have access to the Canadian market, Canadian manufacturers of parts, tires and other auto byproducts will have unimpeded access to the much larger US market. It is a situation of friendly competition which will result in stronger, more efficient manufacturers able to compete in the tougher world market. In addition, all the auto pact safeguards will remain, encouraging offshore producers to increase production in Canada.

In order to further harmonize relations in the auto sector, a special blue-ribbon panel has been established. The panel will work to ensure more efficient planning so the North American automobile industry can become more competitive. The panel will also deal with problems unique to the auto industry. It is a move which will help reduce tensions that, if not checked, could threaten the very existence of the auto pact.

What has been negotiated is an improved automobile pact, one which creates a fair and competitive trading environment. The agreement does not seek to give one country an unfair advantage over the other, which is what the Premier would prefer. The Premier seems to feel, for some reason, that Canadian manufacturers cannot compete on an equal footing with US manufacturers, that for some reason we have to be afforded a handicap.

The official opposition feels that US manufacturers with investments in Canada will pull out now that the government does not require them to establish in Canada. Perhaps they could take a course or two in economics. Businesses operate even when not subjected to government coercion. Some businesses actually operate because it is profitable to do so.

Since 1965, when the auto pact was first signed, the Big Three automobile producers have consistently exceeded the Canadian value added provisions of the agreement. In the last seven years alone, General Motors has invested over \$7 billion in Canada. That is hardly about to be abandoned. Businesses locate in Canada because it is profitable to do so, because our labour force is one of the most efficient, best educated and skilled in the world. We should not be ashamed of that and we should not be afraid to capitalize on that.

We have seen that the criticisms of the free trade agreement made by the Premier simply do not stand up to cross-examination. His opposition to the agreement is based either on an ignorance of the contents of the agreement or sheer political partisanship, and I am not sure which is worse for the people of Ontario.

I would say to this House that we need not be shy in our approach to our trading relationships. We have strong and vibrant industries in Ontario, a skilled and efficient labour force and a wide range of excellent products and services. If we cannot compete and succeed in the United States market, we will surely fail in the world market.

Canada is a country that was built in the face of adversity. It is a country that was carved from the wilderness in defiance of the odds. Canadians have never shrunk from a challenge. We have risen from the status of a colony to that of a world leader in many areas throughout the world, respected for our tolerance, our compassion, our generosity and our prosperity. We must not stagnate now.

Trade and investment are essential to continued progress. Ontario has over the years benefited greatly from foreign trade and investment. Over 90 per cent of our exports are to the United States of America, and foreign investment is higher in this province than in any other part of the country.

Ontario has not become less Canadian because of this. On the contrary, Ontarians are fiercely proud of their nation. It is no surprise that Ontario's economy is one of the top performers in the entire world, far surpassing its neighbouring American states.

But while Ontario chugs along, much of the rest of Canada lags behind. It is our duty as Canadians to ensure that all parts of this country are afforded the same opportunities as Ontario, that the people of western Canada and the people of eastern Canada are given the same chance to expand their horizons that we in our great province have been given.

It would simply be small-minded and selfish to deny the rest of Canada the opportunity for prosperity that already exists in Ontario. It is important to note that a sharing of the wealth will in no way diminish Ontario's economic progress. Indeed, it is highly likely that Ontario will benefit the most from any free trade agreement.

This is a good agreement. It is good for Ontario, it is good for Canada and, yes, it is good even for the United States of America. It is important that everyone benefit, for an agreement which is not fair will not last. Thus, we



should not be ashamed that the United States will benefit as a result of this agreement. It is not necessary for one party to lose for the other party to gain.

The free trade agreement signed by the Prime Minister and President Reagan on January 2, with its basis in trust, promotes fairness and mutual advantage and thus should stand the test of time. It is an agreement which will lead the world in trade liberalization. It sends out a message to the rest of the world that protectionism is no longer an acceptable form of nation-building. This is very important for Canada, since 30 per cent of our national income is derived from trade. The spirit of the General Agreement on Tariff and Trades is woven throughout the fabric of this free trade agreement. The spirit which encourages the reduction of tariff barriers and promotes harmony and international relations.

1630

The free trade deal is a watershed agreement to which other nations already aspire. Israel, which in 1985 concluded a free trade agreement with the United States, has already expressed a desire to upgrade to the standard of our agreement. No other trade deal is as broad in scope as this deal. It covers all sectors and breaks ground in the area of services, investment, intellectual property and business travel. It includes a binding dispute settlement mechanism and a means for developing new regulations to govern subsidies, counter-vail and anti-dumping measures. It is truly unique and it is an accomplishment worth bragging about.

The Premier of Ontario has, in his infinite wisdom, decided to oppose it. It is difficult to understand. He says this agreement is no good, yet he fails to put forth any alternatives. It is a paradox. The Premier of this province speaks of technological excellence, yet he seeks to deny our high-tech industries the access to American markets that they need to subsist.

The Premier speaks of the need to rejuvenate the family farm, yet he seeks to deny red meat producers the access to the American market that will enable them to survive.

The Premier speaks of the need to protect the auto pact, yet he refuses to eliminate the irritants which threaten its very existence.

The Premier speaks of the need to promote Canadian culture, yet he cowers behind a wall of tariffs, afraid to promote Canadian business talent to the largest audience in the world.

The Premier speaks of the need to enhance our social programs, yet he seeks to deny the

prosperity necessary for the very maintenance of those programs.

The Premier speaks of strengthening regions, yet he seeks to deny these regions the same opportunities that have strengthened Ontario.

The Premier speaks of his desire to make Ontario world class. Yet he feels we cannot compete and refuses to give us the chance.

It makes one wonder whether the Premier deserves to be the Premier of this great province, whether he can fill the shoes of the men who walked before him and whether he has the vision to carry this province into the 21st century.

We are at the crossroads. We can continue to move forward or we can turn the page on progress by becoming insular. The Progressive Conservative Party believes that we cannot allow the Canadian entrepreneurial spirit to be stifled and die under the burden of government. We must unchain business by opening up the trading process so we can assure economic expansion and the social advantages and job opportunities which arise from such expansion.

I would ask, indeed I would implore the Premier to place aside his partisan feelings and support this deal. It is a deal that Canada needs if it is to ensure economic expansion and the social advantages that are born from it.

**Mr. Hampton:** I consider it a privilege to take part in this debate because I think that we all recognize what is happening in terms of the negotiation of a free trade agreement and in terms of the possible impact of such an agreement. It may be one of the most important decisions that this country and in the case of Ontario, this province, will enter into.

Even the discussions have generated a debate in our society and across this province which we have not seen in some time on general economic issues.

I do not think it will come as any surprise to the House that, as an individual from northern Ontario and as a member of the New Democratic Party caucus, I cannot support the agreement. I can only speak against the agreement that has been reached by the Prime Minister of Canada and the President of the United States.

However, to merely say that I am forced to speak against it is not enough. I want to put clearly on the record why I think this agreement is a very bad agreement for Canada, a very bad agreement for Ontario and, most of all, a very bad agreement for the people who live in northern Ontario.

It is very interesting to examine the kinds of arguments that have been put forward and the



kinds of comments that have been made by those who want this Mulroney-Reagan agreement to be supported. For instance, a well-known Liberal, Donald Macdonald, who supports this agreement, has said, "The opponents of the deal want Canada to be a sheltered workshop for the inefficient." That was a quote by a former federal Liberal cabinet minister, his view of the deal.

It has been said by the Prime Minister and some in his cabinet, and especially by the Conservative Premier of Saskatchewan, that those who have benefited from free trade, i.e. Ontario, want to deny their advantages to the rest of the country. One of the advantages they refer to is the auto pact. They mistakenly believe the auto pact is, per se, free trade.

They also say the regions can now free-trade their way to prosperity. Indeed, I hear that reference a lot with respect to northern Ontario, that northern Ontario will somehow, under free trade, do better than northern Minnesota has done. Northern Minnesota, if you care to venture through it, is decimated. You will find more iron ore mines that have been shut down, more paper mills that have been shut down, more pulp mills that have been shut down, more people on welfare, more people unemployed.

**Mr. Harris:** That is because we are out-competing them. We are driving them out.

**Mr. Hampton:** No, it has a lot to do with the economics of Ronald Reagan. The member for Nipissing raises an interesting point. I just want to refer to—

**Mr. Harris:** There is free trade in all those things and Canada out-competes them.

**Mr. Hampton:** I want to point something out to the member for Nipissing. The Americans under Ronald Reagan, great free traders that they are, have ended up in a situation where, it is true, they have lost a number of their industries: they have watched their steel industry be shut down; they have lost major elements of the appliance industry; they are watching certain elements of the auto industry being taken away. It is not because there is an inability to compete. It is because the American strategy, the strategy which Mr. Mulroney wants to follow and which the Conservative counterparts here want to follow, is fundamentally an unsound strategy, because there is no plan to the strategy. It throws everything up in the air and the pieces fall where they may.

Where have the pieces fallen in the United States? It is very interesting. In the United States, nearly 60 per cent of the new jobs created between 1979 and 1984 paid less than \$7,000 a

year in 1984 dollars. That is the kind of strategy the Conservative Party wants to tie us into. That is according to a study commissioned by a US congressional joint committee. In the period between 1973 and 1979, fewer than one fifth of the new jobs in the United States paid that little.

In other words, the American economy is going down. Why do we want to be tied to an economy that is going down? Why do we want to be tied to an economy that is now the world's largest debtor? Why do we want to be tied to an economy which has huge domestic deficits? The world financial markets are commenting on those huge domestic deficits and saying: "This is an economy that does not run. This is an economic system that needs some incredible restructuring." Why do we want to tie ourselves to somebody who is in those desperate kinds of straits? That is one of the questions, I think, that has to be answered. Why do we want to tie ourselves into that?

1640

**Mr. Harris:** If they are that bad we might take them over.

**Mr. Hampton:** Yes, I suppose in the member's logic we are going to take over something that is 10 times as large as us and an economy that is 10 times our size. This is the Conservative logic again.

The interesting thing, again, is that the Conservative Party says on the one hand: "Look, this is the only country we can sell to, this is the only market we can compete with, the only one we can get into. As desperate as they are, as terrible as their situation is, let us throw all our eggs in one basket and let us go for it, no matter what we have to give up. If we have to give up control over our energy resources, if we have to give up control over investment, let us throw them in and not worry about it, because they are in a desperate state and we are also going to be in a desperate state." That is what the Conservative argument boils down to.

I think a couple of things have to be looked at very carefully. The federal government and the Conservative members here in the House are saying that if we enter into a free trade agreement with the United States, that will solve all of our problems. That is essentially what they are saying. If we do that, it is clear sailing. Consumers will get lower prices, we will have a larger market to sell in and the Americans will not impose countervailing duties or unfair tariffs on us.

That is not at all the case. The deal that has been presented frustrates, in many ways, the



economic tools we have used in the past and the economic tools that other countries, other successful trading nations such as Japan, such as the Sweden and such as West Germany, have used very successfully in the last 20 years to find their way on to the world trading market.

Among the things this agreement would prohibit are, for example, future attempts by Ontario or, indeed, by Canada to upgrade resources mined in this province by requiring processing prior to export. This will not be permitted under this agreement. We will have to share our finite resources, whether they be hydro, in the case of Ontario, or natural gas or oil from the west, with the United States. We will be unable to provide Canadian manufacturers with the lower prices for energy that we have customarily provided them with. In fact, we will have to charge our producers in Canada the same price we charge the Americans.

The incredible competitive advantage that we are going to give up in this has to be referred to. I wrote to the local Ontario Hydro representative in my area, in the riding of Rainy River, and I asked him to send to me—if Hydro had the statistics on file—comparisons on hydro rates: monthly industrial electric bills comparing major cities in Canada and in Ontario with major cities in the United States, Portland, Oregon being one of them.

The interesting thing that comes out is that if we compare Winnipeg, with Portland, Oregon, for example, Portland, Oregon, in terms of industrial hydro rates, pays twice. The cost is double what it is in Winnipeg. If we go further, say to Tampa, Florida, it is triple Winnipeg and it is almost triple what most large Ontario cities pay. If one goes down the map to New York, it is more than triple. That is the competitive advantage that we give up by agreeing to this deal. We say to them, "We are going to charge you the same rate that we charge for power here in Canada."

As I look around northern Ontario, I see pulp mills. Why did they locate in northern Ontario? One of the reasons, of course, is the adequacy of the timber supply, but the other reason is lots of inexpensive hydroelectric power. What is it going to mean if we have to charge the same rate for the power we sell to mines and mills in Ontario that we charge American industrial users when we export the power? It is going to increase our costs. More than that, the agreement also says that whatever our energy supplies—electric, natural gas or oil—we have to share them, whatever the amount of our supply.

Even if we have a shortage within Canada, we must share them with the Americans, which means that over time, when we do face energy shortages within Canada, we will still have to export what we have customarily exported to the United States and then buy even more expensive power from somewhere else. Our costs of production are going to go up even higher. How could anyone say that is a good deal? That is a giveaway, a total and unabashed giveaway. It is a shame that somebody would even try to call this a good deal.

Going beyond energy resources, this deal essentially says that the only method we can use to develop our economy is trade with the United States, trade on its terms. We are forbidden, for example, to engage in some of the industrial development practices that have been so successful in the past. It is very interesting to watch the Conservative Premier of Saskatchewan come to Ontario and say, "You guys have a good deal with the auto pact. That was a good deal." Then he says, "And that is free trade for you." The auto pact is not free trade; it is managed trade. There are quotas. There are limits. There are requirements as to production.

It is very interesting to contrast the auto pact and the limits and stipulations set out there—and Ontario has done well under that, and Canada has done well under that—with what has happened with the agreement that exists with respect to farm implements. In fact, we have free trade in farm implements. There are no limits set, there are no requirements as to production, and every year since 1948 we have run a deficit in farm implements trading. There is free trade on the one hand, managed trade on the other.

This agreement would outlaw for all time any kind of auto pact in the future. In fact, the Canadian negotiator of the deal, Simon Reisman, says this himself. Simon Reisman actually agrees that the benefits of a trade deal like the auto pact will no longer be possible for any sector in Canada. I will quote him. On October 11, 1987, in the *Toronto Sun* he said, "I would say that never again in a commercial relationship with the United States will there be a division of the market in that way"—and he is referring to the auto pact—"a division of the market where we say so much of the production has to take place in Canada." That is what is precluded from ever happening again under the terms of this agreement.

There are other things which are precluded under this agreement. We have to share our energy. We can no longer say: "You must



process some of the ore in Canada. You must process more of the material in Canada." The Americans, in their explanation of the agreement—and I refer here to the US government briefing notes to the US Secretary of the Treasury—said henceforth Canada will impose no export requirements, no local content requirements, no local sourcing requirements or import substitution on US investors, and will refrain from placing requirements on third-country investors as well.

That is the Americans' interpretation of this agreement, and that is the interpretation we are going to be faced with as soon as we come to a disagreement on a point. Then we are going to be left, having given everything away, to argue with someone who has an economy 10 times our size and 10 times as powerful as ours? That is their interpretation of this agreement.

1650

I want to go into a couple of other matters that I think come out of this agreement. As far as I can see, this free trade agreement provides no protection to resource-rich parts of Ontario or resource-rich parts of Canada, and when I say resource-rich, I emphatically refer to northern Ontario. That is in fact what we have done traditionally in northern Ontario, that is what we still do, and until the present provincial government decides that it wants to pursue an industrial strategy of secondary development in northern Ontario, that is what we are going to continue to do, to harvest the resources and ship them out.

This agreement provides no protection whatsoever to the resource industries of northern Ontario because it does not have a dispute settlement mechanism and because it does not outlaw American antidumping rules. So we are still going to see the softwood lumber tax, a 15 per cent export tax. We are still going to see things like the shakes and shingles tax which was imposed. We are still going to see the possibility of all kinds of penalty tariffs and penalty taxes forced upon our producers when we do outcompete the Americans, as we did outcompete them in softwood lumber and in shakes and shingles.

Finally, I want to refer to something that I think the federal government has to come clean on with the consumers of Canada, specifically the consumers in a large-populace province like Ontario.

I represent a border community. What has been told to the people in my communities by the communities along the Ontario-Minnesota border is that once we have free trade, you will be able to go across the border and buy up all that

cheap stuff in the United States and then come across the border and pay no duty.

That is absolutely untrue. The only goods you would be able to buy duty free will be goods that are manufactured in the United States. The federal government currently has people believing that they will be able to go across into the United States, buy a made-in-Japan television and bring it across the border, paying no duty. You will pay the same duty you pay now. As well, you will continue to pay the 12 per cent federal sales tax and the seven per cent Ontario sales tax. They have not come clean with the people of Ontario on that. It is not a bargain at all.

In closing, it is only fair that we refer to what the US trade representative, Clayton Yeutter, said at the conclusion of the original negotiation of the agreement. I quote him from the October 22, 1987, edition of the *Toronto Star*. He said: "The Canadians don't understand what they have signed. In 20 years they will be sucked into the US economy." That was Clayton Yeutter, the US trade representative. That was his comment publicly, following the negotiation of the original agreement.

I cannot support what the federal government has negotiated, but I want to say just a few things, again in closing, about the resolution that is before the House. It is not strong enough. It does not condemn this agreement in strong enough terms. It does not set out definitively enough all of the ways in which Ontario's economy, Ontario's environment, Ontario's culture, Ontario's social system is going to be negatively affected by this agreement.

**An hon. member:** It doesn't say what the government is going to do about it.

**Mr. Hampton:** And it does not say what this government is going to do about it.

This deal, the deal that Prime Minister Mulroney has negotiated with the President of the United States, is a bad deal; it is a giveaway. We should criticize the federal government because of it, but we should also criticize the government here for not taking a strong enough stand in opposing this agreement. Because, if anything deserves to be opposed in the history of Ontario and in the history of Canada, this deserves to be opposed.

**Mr. J. M. Johnson:** I rise to speak in this debate, not with a great deal of enthusiasm, because I think we have wasted a lot of time since the member for Wilson Heights (Mr. Kwinter) introduced his resolution on December 15. I think, in hindsight, it would have been better if he had introduced a different type of resolution.



To me, it seems rather pointless to have this resolution, as drafted, sent to the Prime Minister of this country after the fact that the trade issue has been signed, and also it will be referred to the standing committee on finance and economic affairs to have public hearings on the free trade initiative.

What is the point of having hearings when we have already concluded the results? I think it is very similar to a judge passing sentence first and then having a trial to determine if there is any guilt. It does not make sense. Surely, the member for Wilson Heights, in all good conscience, will withdraw the resolution before six this afternoon.

I do accept the fact, however, that we have a debate and we might as well get on with it. One thing that is a concern of mine, that I feel quite strongly about, is the fact that there is so much uncertainty, and even fear about this initiative.

In the *Toronto Star* of Tuesday, December 15, there are arguments for and against free trade and there are about six pages of prominent people taking both sides of the issues and giving all the reasons why it is either a good deal or it is not a good deal. The concern I have is that so many of these people are extremely intelligent and have all kinds of resource material to determine if, indeed, they are making a wise decision. I find it extremely difficult to understand how there can be such a difference of opinion on one issue.

I speak on behalf of the people I represent, because many of them are in the same situation. They do not know which side to believe, and it is very unfortunate that we are not enlightening them in some manner. We have taken positions that certain parties are totally opposed to it and other parties are totally in support of it. There surely is a happy medium somewhere in between that reasonable people could come up with reasonable areas of resolution.

During the last election I called on a senior citizens' home in a small village in my riding and I spoke to quite an elderly lady. Her only question was on the free trade initiative. She was not concerned about health, doctors or many of the other concerns that usually seniors are rightly concerned about, but she was concerned about the free trade initiative. This is bothersome to me, that people should have this fear and this uncertainty about something that is so important to our country.

I might mention that I had the honour and privilege to serve on the subcommittee of the standing committee on finance and economic affairs, chaired by the member for Kitchener

(Mr. D. R. Cooke). David, I was paying a compliment to you. I said that—

**The Acting Speaker (Miss Roberts):** Order. I would ask the honourable member to refrain from speaking directly to the honourable members across from him. I am sure that Mr. Cooke will hear your comments from time to time, but would you please refrain from naming him in the House as well as making your comments directly to him. Thank you.

1700

**Mr. J. M. Johnson:** I do apologize, Madam Speaker, but I could not get his attention.

On July 10, 1986, the members of that committee, under the chairmanship of the member for Kitchener, signed a report on free trade, *Ontario Trade Review*, which highlights many of the areas of concern that have been expressed by the members for the last several days. I am not sure if members have had the opportunity to read the report. If they have not, that is their loss, because it is an excellent document. If any member does not have a copy, I am sure the member for Kitchener would provide one.

We made many recommendations, and I would like to refer to a couple.

Recommendation 8 states: "Given that the government of Canada and the government of the United States are engaged in trade negotiations, the goal of these negotiations should be to reduce or eliminate barriers to trade between our two countries in a mutually beneficial manner."

I am sure there is not any member in this assembly who would not concur with that recommendation.

Recommendation 9 states: "Any discussion should be a forum for reinforcing the good trade relationship that has historically existed between Canada and the United States and for clarifying the fact that Canada has consistently been a fair trader in the United States market."

That, too, was supported by all members.

**Mr. McLean:** Signed by the chairman, was it?

**Mr. J. M. Johnson:** An excellent chairman.

I come from the riding of Wellington and it is a rural riding, basically. We surround the city of Guelph, as the member for Guelph (Mr. Ferraro) well knows.

Recommendation 22 states: "While the agricultural sector is under discussion in the bilateral trade negotiations, this committee does not believe that these negotiations will solve the difficulties that exist in the bilateral trade of

agricultural products. Because of the particular problems and sensitivities of the country's and the provinces' agricultural sectors, Ontario should not enter into any agreement that harms its agricultural programs."

During the last election, I made a commitment to the people I represent that I would not have any part of a trade initiative that did harm to the marketing boards which are the backbone of our agricultural sector. This free trade deal that has been presented and finalized just recently does not do that.

I might mention that certain members of the Legislature have suggested that the agricultural sector is opposed to the free trade initiative. I would just like to read into the record a joint statement by the Ontario Cattlemen's Association, the Ontario Pork Producers Marketing Board and the Ontario members of the Canadian Meat Council.

"Ontario's red meat industry supports bilateral trade negotiations. The Ontario Cattlemen's Association, the Ontario Pork Producers Marketing Board and the Ontario members of the Canadian Meat Council have all expressed strong support for the bilateral trade negotiations between Canada and the USA. The three organizations, each affirming previously stated positions, feel that it is important to Ontario's economy to again emphasize support for the current free trade negotiations.

"The cattle and hog producers share the view that free movement of live animals and meat is essential to vibrant, progressive agriculture in the province. As well, Ontario's red meat processors depend on ready, unimpeded access to the US market to maintain the production and marketing efficiency and the resultant jobs.

"The red meat industry is an important source of income for Ontario farmers. The province is the largest red meat producer in Canada. In farm receipts alone, cattle produce in excess of \$1.1 billion and hogs another \$600 million, a major source of income for 35,000 producers and their families. About 20 per cent of cash receipts to the red meat industry come from export markets, mainly the USA."

That is a total of \$320 million from the United States.

This joint statement was signed by Dave Adams, for the Canadian Meat Council, Graeme Hedley, the Ontario Cattlemen's Association and Dave McDonald, the Ontario Pork Producers Marketing Board.

On the same subject, I would like to read just one excerpt from a letter received from Hugh

Sharpe, president of the Ontario Cattlemen's Association. This is a summary of his letter.

"The Canada-United States free trade agreement will be positive for the Ontario and Canadian cattle and beef industry. The real alternatives for Canada are to forge ahead and confirm this bilateral trade arrangement or be prepared to fight an ongoing economic guerrilla war to retain access to the United States market.

"Ontario is the second-largest fed cattle producing province in Canada and the largest red meat producing province. Receipts from cattle and hogs combined account for one third of farm cash income in Ontario. The industry has demonstrated its ability to compete. The agreement should ensure long-run stability for the industry, rather than fighting a rearguard action to preserve access. In our view, there is only one alternative, and that is to work towards confirming and improving, where possible, the Canada-United States free trade agreement."

I think that is one of the mistakes we have made in this Legislature. We should have been spending more time trying to improve and come up with positive suggestions instead of simply dealing with a resolution that should not have been presented in the first place.

I would like to make reference to a comment made by the member for Wilson Heights in response to a question from my leader pertaining to the free trade initiative. The honourable minister replied to a question that was asked about the support for the free trade initiative, and my leader suggested that seven out of 10 premiers in this country support the pact and he goes on to mention some of the others. The question to the Minister of Industry, Trade and Technology was, "Tell us the names of the people who support your position." The honourable minister mentioned: "We have organized labour virtually unanimous in support. We have the organization of churches in Canada. Virtually every church organization Canada-wide is opposed to the free trade initiative."

That is very worthy and I can certainly appreciate their support from those two organizations, but I wonder what the minister and the government did about the position on Sunday shopping by the same people, who violently oppose it. Do they listen to them on one hand if it suits their purpose, and disregard their advice on the other hand?

**Mr. McLean:** What was the minister's name? Was that Kwinter?

**Mr. J. M. Johnson:** I cannot mention it. Madam Speaker will not allow it.



**Mr. Wildman:** Go ahead, Jack.

1710

**Mr. J. M. Johnson:** Oh, better not.

Further on the agriculture sector and pertaining to the agriculture subsidies, parties to the agreement "agree that their primary goal with respect to agricultural subsidies is to achieve, on a global basis, the elimination of all subsidies which distort agricultural trade, and the parties agree to work together to achieve this goal, including through multilateral trade negotiations such as the Uruguay round.

"Neither party shall introduce or maintain any export subsidy on any agricultural goods originating in, or shipped from, its territory that are exported directly or indirectly to the territory of the other party."

When we were in Washington, we met with some of the top people in the agricultural sector and they gave us some detailed information on the United States farm bill that was passed in 1985. I will just read one section on this:

"The 1985 US farm bill was debated at a time when US farm commodities had become uncompetitive in world markets and declining farm income was contributing to severe US farm financial crisis. As a result of sagging exports, large volumes of US grains had accumulated in government storage programs and, in an attempt to deal with the large US grain stocks and declining farm incomes, the US passed the 1985 farm bill which authorizes the Secretary of Agriculture to reduce US market prices to more competitive levels, while at the same time protecting farmers' incomes by increasing direct government payments to farmers. For Canadian farmers, lower US market prices mean lower Canadian prices and some additional pressures on farm revenues that are already in trouble."

That is one reason we need an agreement with the Americans: We cannot compete with US farm subsidies. The American government cannot estimate the cost of this bill. They estimate it will be anywhere from \$15 billion to \$30 billion a year. It is one of the most costly bills in US history, with the exception, of course, of the defence budget.

Some people feel we have two choices, that we can either accept free trade or not. The third option is the status quo. I think one of the problems we have is that if we could retain what we have now, many people would be satisfied, but with the mood of Congress and with 150 or 200 protectionist bills in Congress, I think the status quo is not there any longer. We have to

either opt into this free trade agreement or opt out of it.

Just in closing, I would like to mention a few of the very prominent people who do support the initiative. In agriculture, Bill Vaags, president of the Canadian Pork Council, states: "We have a major market in the US. I am very glad we'll be able to expand rather than the reverse."

Stan Wilson, the Canadian Cattlemen's Association: "The outline of the agreement looks very positive in terms of its impact on the red meat industry. It is of the utmost importance to our industry that we have unrestricted access to the American market."

Jim Waardenburg, president of Dairy Farmers of Canada: "The dairy farmers' organization supports the proposed free trade deal because it guarantees the Canadian government the right to include any dairy products on an import control list."

Bill Duke, president of the Western Canadian Wheat Growers Association: "I think Canada now has a better chance of retaining current access and getting further access. A dispute settling mechanism that involves both countries is likely to be fairer, and it is especially encouraging that the two countries have agreed to jointly work out new trade rules."

Dean Wilson, president of the Automotive Industries Association, "We made a survey over a year ago, and the consensus of our membership favoured free trade."

Richard Garlick, Consumers' Association of Canada: "There is no question that the free trade agreement will favour consumers. It is just a matter of when the different elements of the deal start kicking in."

Jack Carr, economics department, University of Toronto: "It will help consumers because it should lower prices. There will be more employment. Wages will be higher. There will be more benefits."

**Mr. McLean:** The government doesn't listen to those guys any more.

**Mr. J. M. Johnson:** My colleague says he does not think the government is listening and I am afraid he is right.

On behalf of the small business people of this province, I would like to quote from John Bulloch, president of the Canadian Federation of Independent Business. "I think it is a once-in-a-lifetime opportunity for Canada and one that will help us win European and Asian investment." I think that is what it is all about. It is more business, more jobs, an opportunity for Canadi-

ans to enhance their opportunity to develop and prosper.

Madam Speaker, I thank you for the opportunity of joining in this debate.

**Mr. Farnan:** This afternoon I want to concentrate my remarks in terms of the process by which this deal has gone forward. It is a most important issue. Indeed, it is probably the most important issue facing our country. This debate taking place today, as it does, after the fact that the treaty has been signed is probably as indicative as anything else of the manner in which this deal has been hastily put forward.

The Canadian Catholic Bishops Commission for Social Affairs last month issued a resolution and requested the federal government to ensure more democratic public debate on the proposed Canada-US free trade agreement. Bishop Ouellet of Rimouski said the government must enable all Canadians to have an effective voice in the final decision. To me, that perhaps is the matter of greatest concern.

Here we are facing a tremendous decision. I think the previous speaker, the member for Wellington (Mr. J. M. Johnson), very ably put forward the idea that there are conflicting views. There are people we can respect in terms of their background and expertise in presenting these views. The people of Canada and of Ontario have not had the opportunity to examine and weigh this, and yet, without any mandate, this has been foisted upon Ontario and upon the country. If the people of Canada were to review and ask themselves the question what they would have anticipated from this new government, there was nothing in advance that would have indicated to them that they were going to be faced with this free trade deal.

Let me quote from a couple of the more prominent Conservative members in Ottawa. Mr. Mulroney is quoted: "Canadians rejected free trade with the United States in 1911. They would do so again in 1983." This was when he was running for the leadership of the party. "Canada must increase its share of total world trade, which has dropped 33 per cent in the past two decades." That was the present Prime Minister campaigning as leader of the Conservative party. Again, in the campaign in which he won his mandate to govern, he did not mention free trade.

Mr. Clark had this to say: "Unrestrained free trade with the United States raises the possibility that thousands of jobs could be lost in such critical industries as textiles, furniture and footwear," industries might I say that are very

important to Cambridge. "Before we jump on the bandwagon," he continued, "of continentalism, we should strengthen our industrial structure so that we are more competitive."

**1720**

Michael Wilson had this to say: "Bilateral free trade with the United States is simplistic and naïve. It would only serve to further diminish our ability to compete internationally."

How can the people of Canada have trust in the same individuals who condemned free trade so absolutely, so recently, and yet who want to push ahead with free trade now? The manner in which they want to push ahead also gives us cause for concern. During the 1984 election, Prime Minister Mulroney promised open and accessible government. Yet in a decision that is expected to have a profound economic, social, cultural and political impact on our society and way of life, the processes for public participation and decision-making around this accord give rise to serious ethical concerns.

For example, there was the committee that went out to study free trade, that went out to listen to the Canadian people. It was a very hurried report. The committee did not take any steps to see that Canadians or witnesses had access to the fullest possible information concerning probable effects and implications of the agreement. How can you conduct an inquiry unless you provide the information?

The committee did not inform Canadians about the timing and location of hearings and did not decide to have hearings broadcast. If you are having a very serious discussion of a matter crucial to the Canadian people, surely you would have those meetings broadcast.

The committee did not provide an opportunity for all those who wished to make presentations. In each city, the committee was only able to invite a small fraction of the witnesses who wanted to appear. New Democratic colleagues who were on that committee who asked that there be an hour allocated in these hearings for brief statements were voted down by the majority. Again, it was putting a muzzle on the Canadian people.

For a Prime Minister who says he is open and sensitive to all the regions of Canada, this committee showed unbelievable insensitivity in deciding not to travel to the Yukon in order to listen first hand to the specific concerns of that government and the residents of the Yukon.

Even if I were an individual who personally favoured free trade, and I am not—I prefer an option I will describe later—even if I favoured the



free trade agreement or free trade as a concept, I could not support the manner in which it has been pushed along.

Let me give members some of the views that were expressed about this process. "Why are we doing this so fast? This committee does not have a text of the final agreement." Margaret Atwood.

"We are being rushed into this. A kind of shotgun wedding, in order to cope with Congress's so-called fast track timetable." Mordecai Richler.

"What would people think of a union leader that announced it had negotiated and then asked its members to express their views without knowing the details and then said it intended to ratify the deal without a full vote of the members?" Canadian Labour Congress.

"The first thing we would like to express is our disappointment with the lack of information our group has been able to receive in a timely manner in order to properly research and evaluate the impact of free trade in the Northwest Territories." Yellowknife Chamber of Commerce.

"This government has no mandate to negotiate free trade. Anyone who voted for Brian Mulroney actually voted against free trade because he had declared himself, as had all previous leaders of the Conservative Party since John A. Macdonald." Saskatchewan Citizens Concerned About Free Trade.

"It is the equivalent of a kangaroo court moving from city to city to a hand-picked few, rushing with indecent haste towards its foregone conclusion." Gérard Docquier, United Steelworkers.

My friends, it is very obvious that what we have is a government that is hell-bent on making a decision without a mandate and without broad public input. The Mulroney deal puts thousands of jobs at risk. Our families, our friends and our neighbours will suffer the consequences. One Mulroney cabinet minister estimated the free trade gamble could cost Canadians 800,000 jobs.

Mulroney has disregarded this. He has been less than frank when talking about the trade deal's impact. But when one considers the approach, it is little wonder that Mr. Mulroney is not prepared to have an evenly balanced debate in which we look at the negative side of the picture as well as some of the positive side.

The Mulroney government opens the doors wide to foreign investment by this trade deal. It strips Canadians of ownership and control. It exposes tens of thousands of Canadian businesses to US takeover. American companies, as we heard in the House today, return their profits to

head office. Canadian companies reinvest profits in Canada and create jobs for Canadians. A recent study by Statistics Canada says that for every \$1 billion in profits, Canadian companies created 5,700 new jobs between 1978 and 1985. For the same \$1 billion of profits during the same period, US firms created a grand total of 17 jobs in Canada.

I turn for a moment to the energy issue. The Mulroney trade deal would push the door open wide to American access to our oil and gas reserves. The government is selling out our natural resources. If we suffer an energy crisis, Canadians will have to share our precious energy supplies with the US on an equal basis. We will have to share our dwindling oil reserves, even though Canada will be a large importer of oil by the mid-1990s.

The Mulroney trade deal would also deny us the right to export our oil at a fair market price while protecting Canadian consumers against high costs. With a severe climate like ours, energy is not a luxury. Is it fair that surviving a Canadian winter will cost more than a winter in the United States? The deal may also override the right of provinces to charge their own citizens lower rates than they charge foreign customers. That would mean higher costs for Canadian consumers.

### 1730

My friends, in addition to this, we have a situation where we are opening access to our financial institutions, we are opening access for financial takeovers and, indeed, it would appear and it could be argued that we are selling the shop.

I come back to the initial point, and the point is one of democracy and one of input. If there is going to be a reasonable debate and if Canadians are going to have an opportunity to participate in that debate, then we must be given time.

The Canadian Catholic Bishops' Commission put forward a suggestion that I think is very worth while and very valuable. The commission urged the government to make available to the public all background studies and research that have been done regarding the negative as well as the positive impacts of free trade. How can we have a debate without having all the facts?

Further, the commission suggested that they set up a public fund and allocate it equally to groups on both sides of the free trade issue. One of my great fears is that this is going to be a debate where simply financial resources and the influence of the government in terms of pushing forward its ideas will lead it to use its position of



government and also sheer power of dollars to try to influence the people of Canada.

There is a further price to pay. The dream of free trade is still remote, with a flawed dispute settlement mechanism and no exemption from the omnibus trade bill. In seven years, we will pay again to get common rules, and still we will not get secure access, but we will be more integrated and more dependent.

We on this side of the House believe that Canada should negotiate with the United States either multilaterally through the GATT or bilaterally in a piecemeal way; that is, separately, on outstanding issues including tariffs, trade laws, dispute resolution mechanisms and sectoral issues. We do have leverage. We are their largest market and we are a reliable supplier of resources which they are running out of.

I would like to bring a final point to the House. It is this: I believe the government should take heed of the advice that the Assembly of First Nations gave the committee, based on its own historical experience of the dangers of bargaining with a much stronger power. It is always the strongest one who puts the terms in the treaties, and the one that is bound by it has to follow the words.

The United States is a lot stronger than Canada, just as the British government was a lot stronger than the sovereign Indian nations in Canada that had to deal with the English and follow the rules of the English government. Otherwise, the final lament of Chief Moses Okimaw's is brief. It is this: free trade will make Indians of us all. It may well be that this is the Mulroney government's legacy to our children.

In conclusion, let me simply say that the proposal that is being put forward by the government is a motion that does not have sufficient strength. Certainly, considering the implications of this trade deal to our country, I would have hoped and the New Democratic Party would have hoped that the government that campaigned so vigorously on this issue would have been as vigorous in implementing and taking a stand that would clearly signal to the people of this province its determination that this deal would not go through.

At the same time, I hope that, having gone through this debate, the government will have had an opportunity to review its position, to realize that the position it has taken over the last several months since it was elected to office has been one that does not fit comfortably with the stance it took during the election. The passion and the drive that was out there during the

election campaign and on the hustings as to how this deal would be blocked, there would be no deal, has gone. What we have seen in the last couple of months is a pale shadow of what we heard in August.

I hope that the government, in reflecting upon the debate, will see fit to support the amendments put forward by my colleagues on this side of the House in the New Democratic Party and will support the amendments when this motion comes for decision.

I thank you, Mr. Speaker, for the opportunity to address this issue.

**Mr. Pelissero:** I consider it an honour and, more, a privilege to participate in the debate on the resolution. What I would like to do over the next 10 or 15 minutes is outline what I think have been pieces to a puzzle that really started in 1985 when the Prime Minister and the President got together for the Shamrock Summit in Quebec. Since then we have had a number of pieces coming together that leave us with the deal being signed by the Prime Minister and the President.

First of all, I would like to restate the Liberal government position in the sense that we are not opposed to freer trade, fairer trade or liberalizing our trading relationships with any of our partners. What we are opposed to is this particular Mulroney trade agreement and, certainly from the polls that have been released recently in the media, most of the Canadian population feels the same way. They are in favour of the concept of freer trade but they are evenly divided when it comes to this particular trade agreement.

I think most people have to try to understand in fact what is in the final text. The government, the Minister of Industry, Trade and Technology (Mr. Kwinter) and the Premier have all been given advice that, on the whole, there are more losses than there are gains for the province in this agreement.

Why was January 2, 1988, an important date for the signing of this agreement? That was when fast-track approval ran out. That meant that the Congress had to either accept or reject the deal in whole. They would not have the ability to amend the agreement. We, as a country, are responding to an American deadline.

I have some difficulty with that, in the sense that if this agreement is as significant as individuals are telling us it is and it is going to have as great an impact on ordinary lives of Canadian citizens, then I think we need a lot more time to look at it.

Certainly at one time the Premier of the province said, "Let's put things on hold for six



months to look at the document and read between the lines." The final agreement is in excess of 350 pages, with all the addenda, articles and side agreements, and we end up trying to read between the lines on each of the pages.

1740

It is important to review the status before the Mulroney trade agreement. What was happening to our trading relationships prior to these negotiations and the trade deal's coming about?

Since 1947 and Canada's participation in the GATT, tariffs have been reduced from an average of about 40 per cent to a level of about five per cent. In fact, 80 per cent of our goods currently enter the United States basically on a free trade arrangement. An additional 15 per cent of our goods, over and above the 80 percent, are coming into the United States at less than five per cent. So it is important to focus in on what were actually going to accomplish if this deal goes through.

People's best guesstimate—and I underline the word "guesstimate," because even Gordon Ritchie, the deputy chief negotiator, identified that we do not have any hard facts, we do not have any real studies, we just have a good feeling that this is going to increase job opportunities and maybe at the best will take that 80 per cent figure up to a 90 per cent figure. I maintain that the cost to go from 80 per cent to 90 per cent is too large.

What were the objectives of the Prime Minister in entering into the negotiations with the United States? He has talked about two objectives. One dealt with the question of access and the other one dealt with the question of being exempt from the US trade law or the omnibus trade bill. In fact, in the omnibus trade bill there was a section mandating President Reagan to negotiate with the Prime Minister a reduction of tariffs. That was a part of that omnibus trade bill, and I do not think we should lose sight of that if people are talking about an objective of trying to reduce tariffs.

We have gone from a discussion in this whole exercise of, at the beginning, having greater access to a large market of more than 250 million people. We then moved to a position of talking about securing the access we currently had. Then we ended up in a position of, "We had better cut a deal with the United States because of the protectionist legislation that is being contemplated being brought forward." We really negotiated the deal more out of fear than out of good economic sense.

If we look at the question of being exempt from the US trade law and the omnibus trade bill,

even Bill Winegard's committee gave conditional support to the free trade agreement if we as a country were not exempt from the US trade law. We have no guarantee of that. Congress has said it is not even willing to look at this much before June 1988. In fact, it may not be until the fall that it actually takes a look at it. We are not sure the omnibus trade bill will not, in fact, be put into place first.

On the question of the exemption from the US trade law and the setting up of the binational panel, in my mind, and certainly in the government's mind, the jury is still out. We have one set of legal experts who say it is binding; we have another set of legal experts who say it is not. Until we see the implementing paperwork, the process and the formula, I think it is still unsure what we actually accomplished out of that versus what we were trying to accomplish through GATT.

It raises another interesting point that was brought home to me the other night by a constituent who said, "If as a provincial government you do not have faith in the deal that Simon Reisman negotiated on a bilateral basis, keep in mind that this is the same individual who is in charge of our multilateral negotiations as well under GATT." My response back to that individual was: "It was not really Simon Reisman who negotiated this deal. He was pulled out at the last minute and replaced by Mr. Wilson, Miss Carney and gentlemen out of the Prime Minister's office, and the deal was negotiated more for political expediency rather than for economic benefits."

Certainly it has been stated in some places that the deal was put to the United States like this: "If you cannot cut a deal with Canada, your largest trading partner, how can you ever hope to walk into the multilateral discussions with an ounce of credibility and sincerity?" What started off, maybe, as an economic deal quickly became a political deal in terms of trying to satisfy the federal government.

What are some of the elements of the deal? We have heard the Minister of Agriculture and Food, I think, do a very good job of outlining the concerns with respect to the agricultural sector. Certainly there are many grape producers in my riding who feel they have become a bargaining chip. Whether it has been the federal government or the negotiators, people have recognized finally that the wine industry and the grape growers in particular were a bargaining chip to achieve we are not sure exactly which ends.



The two-price wheat system not only has served the Canadian farmers adequately but has served the Canadian consumer very well. In fact, with the elimination of that, it has been estimated that there will be a net loss of some \$25 million to Ontario wheat producers. We have to be concerned about what the federal government is going to be doing and if what they are going to be contemplating in terms of compensation will be countervailable. Again, we are unsure of that.

The auto pact: in the Niagara Peninsula there are a number of auto manufacturers, not only in Lincoln but also in St. Catharines and St. Catharines-Brock. With all the tariffs gone and the 60 per cent Canadian content now becoming a 50 per cent North American content, there will not be an incentive for industries to be located in or come into Ontario. If I understand the elements of the free trade agreement properly, we as a country gave up our right to include anybody under the auspices of the auto pact while the United States maintained the right simply to include additional companies only if they were to consult with Canada. We have given up our right to introduce any new manufacturers under the auto pact while the United States retains that right.

People have talked about using the auto pact. The Prime Minister said, "Well, we need more auto pacts." I could not agree with him more, but "auto pact" is sectoral trade; "auto pact" is not a comprehensive bilateral trading arrangement with the United States. It is sectoral trade, and if we want to talk about sectoral trade, then we should not be talking about this comprehensive free trade arrangement with the United States.

Another fact we should not lose sight of is that the auto pact was not just an Ontario auto pact, it was a Canadian auto pact, and the auto parts manufacturers could have located anywhere in Canada. They decided to locate in Ontario, but they could just as easily have located in British Columbia, Saskatchewan, Manitoba or Quebec, right across the border. The auto pact was not just an Ontario auto pact, it was a Canadian auto pact.

In terms of financial investments and a screening and a review mechanism, people have talked about, "Yes, we are still going to have the ability to maintain our right to screen foreign investments," but that ceiling or limit is going to be going from \$5 million to \$150 million. The companies which will fall between those really make a joke of the "review mechanism" that will be in place to look at those larger companies.

Energy was not on the table during the preliminary discussions. When the economic

negotiations ended, with Mr. Reisman being taken out of the process and Mr. Wilson, Miss Carney and the gentlemen from the Prime Minister's office getting involved, energy was put on the table to be more of a sweetener than anything because, again, the deal was needed for political considerations.

I have a couple of concerns when we start talking about the whole process in terms of, first of all why we responded to a January 2, 1988, deadline with the United States.

We gained more information from the United States about this free trade arrangement than we did from the federal government. That should concern the Canadian people as well.

We have as well a ratification process in both governments, in Canada and in the United States, that leaves uncertain what is going to transpire.

Some other concerns relate not only to the process but to other pieces of the puzzle: for instance, the value of the Canadian dollar versus the American dollar. We see it is on the rise, and what is that going to mean in terms of our trading relationship with the United States? We see the value of the American dollar falling in relation to other world currencies. There are no studies that support this giant leap of faith we are planning on taking with the destiny of Canada.

Another area of concern seems to be a harmless statement in the document. It talks about the harmonization of standards or "the level playing field." I have some serious concerns ranging all the way from environmental standards to health standards.

The Minister of the Environment (Mr. Bradley) has identified on a number of occasions his concerns. Once the "level playing field" is there, what is going to happen? There is going to be increased pressure from the industries to say: "Look, the United States does not have as strict environmental standards. We need to be talking about what we can do to further level the field."

## 1750

Also within the agricultural sector, our farmers will not have the same access to the chemical tools that the American farmers have, again a disadvantage. And do we expect the Americans to raise their standards, or in fact will we in Canada have to lower our standards?

Professor Larry Martin from the University of Guelph, dealing with the whole question of harmonization of standards, said this either could be a plus for us or could be the biggest minus in the whole agreement. He still is not convinced of which way it is going to go, and I think the jury is very much out on it.



When we look at social policies in terms of minimum wage, as an example the whole question, in talking to Brian Nash from the Grape Growers' Marketing Board, that farmers are more than prepared to pay a minimum wage of between \$4.50 and \$5 an hour because they recognize that that is the cost of being a Canadian with respect to our health, our welfare and our educational policies.

If we use Mexico as an example, there is a strip in Mexico that is several kilometres deep and runs the full length of the border, some 3,200 kilometres. The official trade zone contains some 1,200 US factories employing some 300,000 Mexican workers. They are mostly teenagers, mostly nonunion and earning about 65 cents an hour. Is that the kind of country we want eventually to have Canada end up looking like?

In closing, I want to put a couple of personal concerns on record. First of all, I do not really like being painted as an individual who is a wimp, who is afraid to negotiate and that we are part of a larger—and I use Simon Reisman's words—"Nazi-like conspiracy." I do not appreciate that just because we are questioning the elements of the agreement. I think individuals, if presented with the facts and just the facts, will make an appropriate and honest decision.

An example of the federal government's portrayal of a farmer in its brochure, in an attempt to sell the free trade agreement, shows two individuals, a male and a female. In probably somebody's understanding of agriculture within the federal government, the female is riding probably a 1940s vintage John Deere tractor. The male has a slight glaze over his eyes and has a baseball cap on, a plaid shirt, coveralls, big boots and a stalk of wheat in his mouth. There are two cows, a pile of wheat and a bushel of potatoes.

That is not Canadian agriculture in the 1980s and into the 1990s. I, as a farmer, do not appreciate someone trying to portray and perpetuate the primitive myth that the media carry around of what agriculture looks like. If individuals are not willing to put forward the case on just the facts rather than having a version of a cross between the Beverley Hillbillies and Green Acres to try to sell it into the agriculture community, I treat that as an insult.

So I think we have to look at trying to get the facts out and allowing the Canadian people the opportunity to make an informed decision on this, and the only way they can make an informed decision on this is to get the facts. Then I would support the call for a federal election on the issue, for the simple reason that people should have the

ability to pass judgement on what is a historic agreement and could virtually change the direction of this country, not only for the near future but for the very distant future as well.

**Mr. Harris:** It is a pleasure to be able to have five minutes to enter into this historic debate. I will take the opportunity to get started today and perhaps I can carry on tomorrow for however long it takes to conclude my remarks.

Given the shortness of time, perhaps I will lay out a few things that I would like to cover in my remarks. We really are dealing with several debates in one. Perhaps that is a good way to put it. One is the free trade resolution that is before the House itself. I think while we are debating that, I want to take the opportunity to put my thoughts on the agreement itself on the record. I want to put my thoughts on the principle of a freer trade agreement with the United States on the record as well. I may even refer from time to time to the resolution that is before the House, the one proposed by the government. I might perhaps even refer as well to the amendment that is before us.

**Mr. Laughren:** Sterling, come on over and sit beside Mike.

**Mr. Harris:** Come on over and sit beside me. I might give the member a little bit of my time if he wants to get on the record.

There is a second aspect to this debate, and that is the process that has been followed in how the government is dealing with free trade, how it is dealing with this resolution and the whole democratic process. In that, I want to talk on the process.

I do not want to go over a lot of ground that has been gone over by my colleagues, either in the debate or in the process. I will not be going back over all the history of events at House leaders' meetings and what not. I think that has been covered by a number of speakers from all sides of the House, particularly speakers from our party and speakers from the New Democratic Party.

Since I was one of the principals involved in that, I do not particularly want to go over that ground of what was agreed to, what was not and those aspects. I do want to talk about the process that we are being asked to follow and I want to talk about it in conjunction with other things that this government is doing.

It really has to deal with the rights of all members of this House who are not in the executive council. It has to do with why the members of my party, the members of the New Democratic Party, and the majority of the members of the Liberal Party are here, and why

this process affects them and why it is part of a series of events that I think they should be very concerned about as back-bench members of this Legislature.

This process talks about what the whole meaning is of being a member, what does it mean to be a committee member of this Legislature. There are a number of examples that I have alluded to over the last few weeks, whether it had to do with Sunday shopping, whether it had to do with the way Meech Lake is being treated or whether it had to do with a number of other items that this government—

**Mr. Villeneuve:** A different definition of democracy.

**Mr. Harris:** I will say it—with the pay bills, and who decides how we get paid around here. I am one of those who does not think that members should be voting on their own pay raises, but I think it is even worse for one man to tell us how we get paid, particularly a millionaire who has no vested interest in it.

So the process has been an important part of this debate. A number of speakers have referred to it and I think it is important that one understands why our party has been so concerned

about the process. I will be talking about that in my remarks as I pick this up tomorrow. As well, I will be talking, and will try to get some information on the record, about how this affects my riding of Nipissing and how it affects Jim Coutts's company in North Bay.

**Mr. Villeneuve:** Jim Coutts? Who is he?

**Mr. Harris:** The Du Pont and the Fabrene plant which rely on access to the American market. How it affects the other interested companies in Nipissing. I will be talking a little bit about how it affects northern Ontario, and I will try to bring into the debate some of the things that have not been put on the record, rather than repeating some of the points that many of my colleagues have made, all of which I agree with.

Suffice it to say that I am pleased to associate myself with all the remarks and will try not to take time repeating them. So, noting the hour, I will pick up tomorrow with the thoughts I have outlined today.

On motion by Mr. Harris, the debate was adjourned.

The House adjourned at 6 p.m.



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## RESPONSE TO PETITIONS

### RETAIL STORE HOURS

Sessional paper P-7, re Sunday shopping.

**Hon. Mrs. Smith:** An all-party select committee of the Legislature travelled across the province last year to listen to the opinions of individuals and organizations on Sunday shopping. Last spring, the committee made a number of recommendations with regard to the Retail Business Holidays Act, the provincial law which requires stores to close on Sundays and statutory holidays. These recommendations were studied carefully by the government and, after much consideration and discussion, it was decided that many of the committee's suggestions were unworkable.

To allow for local diversity and to be as fair as possible to retailers and consumers alike, the government has decided to allow municipalities to decide whether or not stores will open on Sunday.

Municipalities now have the power to decide when stores will open for six days of the week. Once changes are made in the present legislation some time in the new year, municipalities will have an option on Sunday shopping as well. This does not mean that stores in every community will open on Sunday. It will allow, however, citizens of this province to be guided by Sunday opening rules which better reflect local conditions and attitudes.

## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Orillia L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
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**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
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 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
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 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)

**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
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 Grier, Ruth A. (Etobicoke-Lakeshore NDP)  
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 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
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**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
 Keyes, Kenneth A. (Kingston and The Islands L)  
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Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

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**Nixon, Hon. Robert F.**, Deputy Premier, Treasurer of Ontario and Minister of Economics and Minister of Financial Institutions (Brant-Haldimand L)

Offer, Steven (Mississauga North L)

**O'Neil, Hon. Hugh P.**, Minister of Tourism and Recreation (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

**Patten, Hon. Richard**, Minister of Government Services (Ottawa Centre L)

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**Peterson, Hon. David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

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**Scott, Hon. Ian G.**, Attorney General (St. George-St. David L)

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Vacancy: London North

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No. 34

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 34th Parliament**  
Wednesday, January 6, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, January 6, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### TRADE WITH UNITED STATES

**Mr. Mackenzie:** With the signing by Mulroney and Reagan of the free trade agreement, it becomes extremely important for the government of Ontario to clearly and forcefully establish those areas of provincial jurisdiction that the Premier (Mr. Peterson) is prepared to use to protect Ontario workers.

To date we have been disappointed by the rather wimpish approach to any hard action to clearly outline what he will do. The failure of Cooper Tire and Rubber to purchase the Firestone plant is the result, at least in part. With an open border under the free trade agreement the company can produce in its Tupelo plant in the United States and ship into Ontario. There is no need for a branch plant located here. Indeed, testimony before our select committee on free trade had one witness from the trucking industry say he knew of some 500 branch plants that might consider closing if a free trade agreement was reached.

Recent evidence shows that over 65 per cent of all plant closure layoffs are in US-owned branch plant operations. Given this real threat to Ontario jobs, what is the government prepared to do to require justification and public scrutiny before closures can take place? What specific legislation can Ontario workers expect from the Premier to give them some additional protection from pure corporate rationalization under a free trade agreement?

### DEVELOPING COUNTRIES FARM RADIO NETWORK

**Mr. Villeneuve:** Those of us involved in agriculture and agricultural policy are very much aware of the problems caused by worldwide surpluses and low commodity prices. Very often we forget that there are Third World countries and people who cannot even afford to buy the world's heavily subsidized surpluses.

Therefore, it is reassuring to know that some 100 million small-scale, subsistence farmers are

being assisted by a Canadian self-help network based here in Ontario. This network, known as the Developing Countries Farm Radio Network, is based in Toronto and Guelph. Its 800 participants include farm broadcasters and rural communicators in over 100 countries.

The network was founded in 1979 by George Atkins, a well-known Canadian farm broadcaster. George's idea was essentially a simple one. What he did was gather agricultural tips, from farmers and agricultural communicators from around the world, which could easily be adapted elsewhere.

For example, in Botswana he found that farmers mixed wood ashes with their stored grains. Normally, weevils and other insects eat such grains and introducing such ashes made these pests stay away. When the grain was needed for human consumption, the ashes were simply blown out.

The network was originally a project sponsored by Varity Corp., Massey-Ferguson and the University of Guelph. It has now become a nonprofit corporation and is seeking members and contributors.

I would like to extend our best wishes to the Developing Countries Farm Radio Network in its new form. Should members wish further details, please contact my office.

### TRADE WITH UNITED STATES

**Mr. Adams:** I am very concerned about the impact of so-called free trade on the quality of our environment. While our environmental standards are generally higher than those in the United States, there are a few cases in which American standards are the higher.

One example of this is the tight controls on unleaded gasoline in the United States. My fear is that those negotiating the trade deal will trade off the many high environmental standards in Canada against the few in the US. In this scenario, for short-term economic gain, both countries, the whole continent, could end up with lower environmental standards.

One very illustrative example of the direct impact of economic decisions on the environment has to do with our ability to purchase low-sulphur coal from Alberta. When the prov-

ince buys this relatively clean coal, we both stimulate the economy of western Canada and protect our own environment. But, as the Alberta coal is more expensive than high-sulphur US coal, under so-called free trade our purchase from Alberta could be construed as an unfair trading practice.

How can members of the Tory party, in this House and elsewhere, support an agreement which so limits our sovereignty over something so fundamental to our way of life and long-term prosperity as the environment?

**Mr. Laughren:** When question period begins, this caucus will be asking the Premier (Mr. Peterson) and some other ministers a series of questions concerning the free trade agreement between Canada and the United States of America. We are going to be voting later today, as well, on a government resolution and an amendment that has been put by this party.

We are very sceptical about what the intentions of this government are. I should remind members that it was only a couple of years ago the Premier said: "Don't worry. First, we will let them negotiate an agreement and see what it looks like." Then he said: "Don't worry. I can veto it." Then he said: "Don't worry. I'll impose conditions and we won't accept it if those conditions are not met." Then he said, "Don't worry until we see the final draft." Then he said, "Don't worry until we've seen the implementing legislation." Then he said, "Don't worry until the Attorney General is done with the constitutional audit of the whole process."

It seems that every time we get over one barrier, the Premier erects another one and says, "We'll deal with that when we come to it." We have no reason to believe that this government intends to take any action whatsoever to deal with the problems that Ontario and Ontario's communities and working people will face if this agreement becomes law a year from now. We are asking the Premier and his ministers to implement legislation that will have a direct effect and challenge this constitutional agreement between Canada and the United States.

#### PENETANGUISHENE MENTAL HEALTH CENTRE

**Mr. McLean:** My statement is for the Minister of Health (Mrs. Caplan). An unreleased report leaked to the Globe and Mail urges the immediate start on a new maximum security hospital at Oak Ridge in Penetanguishene to replace, quoting the newspaper story, "an

antiquated prison described as 'a relic of another age.'

"The urgency of building a new, modern hospital 'cannot be stressed enough' the report says. The status quo is 'not only clinically unacceptable but fraught with danger.'" The story goes on to say that "Oak Ridge was built in 1933 and modelled on a 1920s-era prison."

I am seriously concerned over reports from the mental health division that additional funding for the province's psychiatric hospitals will not be forthcoming. The hiring of additional staff cannot occur if funding is not held at the current levels, and the funding restrictions have placed the senior administration at Oak Ridge in the untenable position of being expected to make improvements when the government has tightened its purse strings.

A great deal of enthusiasm has been generated within Oak Ridge over the positive steps that have been taken to improve treatment services for the patients, and I hope that this momentum continues through the hiring of additional staff. I urge the minister to announce immediately the construction of a new facility in Penetanguishene.

1340

#### CELEBRATION OF JULIAN CHRISTMAS

**Mr. Faubert:** I rise today to commemorate what is a very important day for people following the Julian calendar. This includes members of the Ukrainian, Russian, Serbian, Greek, Macedonian and Bulgarian communities and members of the Christian Orthodox churches.

For them, today is Christmas Eve. Tomorrow, January 7, all these groups celebrate Christmas; and today, January 6, Ontarians of Armenian descent celebrate this important holiday. This festive season is a time to gather with family and friends and to honour the spirit of tolerance and openness that is building in our community.

It is also a time to think fondly of those we love who may live abroad. Here in Ontario we are blessed to live in a society that allows us to create a better life for ourselves and for our families. We are fortunate to live in peace and security without the daily threat of war and social strife that affects much of the world. For this we are all thankful.

I would like to take this opportunity to extend season's greetings on behalf of the Legislature of Ontario to all our cultural communities celebrating Christmas. To them, best wishes and may the new year be filled with health, happiness and



good fortune for themselves and for their families.

#### TARIFFS ON SOFTWOOD LUMBER

**Mr. Wildman:** The free trade agreement signed by Mr. Mulroney and Mr. Reagan specifically grandfathers the softwood lumber export tax. The federal government transfers roughly \$2 million each month to Ontario. That means that now there is about \$20 million to \$25 million to Ontario's credit.

At the time the Liberal government caved in to this deal the government stated that the provincial government would use this revenue to assist the affected lumber communities. As yet, none of these communities in northern Ontario has received any of this money. It appears that this fund has almost grown to the size of the proposed heritage fund of this government.

Does this government intend to use this money for the purpose for which it stated it was going to use it, or is it just to become additional revenue for the provincial Treasury?

#### STATEMENTS BY THE MINISTRY

##### FIRESTONE CANADA INC.

**Hon. R. F. Nixon:** In response to the question yesterday from the member for Hamilton East (Mr. Mackenzie) relating to the windup of the pension plan at Firestone Canada Inc., I am able to provide the following information.

The pension commission has had several meetings with the company, the union and an employee adjustment committee, having both union and nonunion members. Commission staff met with the employee adjustment committee on October 19, 1987, the union on October 21, 1987, jointly with the company and the employee adjustment committee on November 2, 1987, and again with the company on November 17, 1987. Commission staff also attended a general meeting of the union on November 1, 1987.

The purpose of these meetings was to advise all parties of the requirements of the Pension Benefits Act, 1987. The commission first became aware of the company's intent to use the five-year period to fund the deficiency on November 2, 1987, and all parties, including the union, were immediately advised of the effect on employee transfers.

Members included in the windup of a pension plan have various options, including the right to transfer the value of their entitlement to a locked-in registered retirement savings plan or to an insurance company for the purchase of a pension.

There are insufficient assets in the Firestone pension fund to provide all benefits and the company has five years under the Act in which to fund the deficiency.

Until the deficiency is funded, the regulations under the Pensions Benefits Act, 1987 prohibits lump sum payouts or transfer of funds to members. Interest must be credited on the members' transfer values up to the date the funds are available for transfer.

Members eligible for and electing pensions commencing during the extended funding period will not be affected in any way and will receive their pension payments in full.

#### HOME SUPPORT SERVICES AND ELDERLY PERSONS CENTRES

**Hon. Mrs. Wilson:** I wish to announce an increase in levels of provincial funding for home support services and elderly persons centres.

On behalf of my colleague the Minister of Community and Social Services (Mr. Sweeney), I am pleased to be making this statement on the government's determination to strengthen services to senior citizens living in our communities.

Effective January 1, 1988, the government has approved an increase of \$6.5 million annually to revise the funding formula for the home support services for the elderly program and will make available an extra \$1.4 million in operating grants for elderly persons centres in 1988-89.

The increase to elderly persons centres will raise the ceiling on each centre's operating grant from a maximum of \$15,000 per year to a new maximum of \$30,000 a year. Members of this House will be aware that the \$15,000 maximum for elderly persons centres has not changed since 1971. There are currently 158 elderly persons centres in Ontario.

As well, I am happy to report a further increase of the funding formula for the home support program. Up to December 31, 1987, the Ministry of Community and Social Services subsidized approved home support costs up to 70 per cent, with the balance of the funding coming from any combination of user fees, charitable donations and municipal contributions.

Under the old formula, if revenue exceeded 30 per cent of costs, the ministry's subsidy was reduced proportionately. This practice tended to discourage community fund-raising activities. It also meant that similar home support agencies could have been funded at different subsidy rates.

The new funding formula will flat-line the ministry's subsidy at a fixed 70 per cent of approved home support services costs. This means that all home support agencies will now be funded at the same subsidy rate. Further, agencies will now be able to utilize funds raised in excess of 30 per cent to improve service delivery.

I note that this represents the third increase to the home support funding formula in the last two years.

These announcements reflect this government's continuing commitment to those seniors who wish to remain living independently on their own and in their own communities, and to the initiatives outlined in A New Agenda.

## RESPONSES

### FIRESTONE CANADA INC.

**Mr. Mackenzie:** I am concerned with the statement, which is about as I expected, that the Treasurer (Mr. R. F. Nixon) has given us today. I think the operative sections are that there are insufficient assets in the pension fund, which is not totally unusual; but even more the paragraph which simply says that, other than those workers who are now eligible to take a full pension, all of the other workers—and there are a lot of older workers in there—can now do nothing, in effect, in terms of getting their money out unless they wait the five years.

Certainly, after an upheaval such as this for older workers in a plant like this, they want to get their financial affairs in order. They want to know they can put their money into some kind of savings or get into it, when they are workers over 40 or 45 especially.

I think the situation is intolerable when a company that is taking the kind of money out of this country that Firestone has in the last year is not required to pay up the \$8 million or \$8.1 million or \$8.9 million, whatever the figure is, that the plan is underfunded.

I ask the Treasurer to consider seriously a regulation, which I think he has the authority to do, requiring Firestone to pay up by a certain date, as soon as possible in terms of the underfunded part of that particular pension plan. I think the workers at Firestone are owed that much at least by the company.

### HOME SUPPORT SERVICES AND ELDERLY PERSONS CENTRES

**Mr. Reville:** Responding to the statement by the Minister without Portfolio responsible for senior citizens' affairs (Mrs. Wilson), we in this

party of course welcome the increase of operating grants to elderly persons centres and note it is something that has been 17 years in coming. We hope the next increase will come next year, not some time in the 2011 category.

We welcome as well the increase in the percentage that the provincial government will contribute towards the cost of home support services. We have talked for years in our party about the necessity of properly funding home support services and the kinds of benefits that home support services bring, not only in terms of human dignity but also in terms of the cost benefit, not only to the providers but also to the people who use the services. It is useful to see that the proportion has now been flat-lined at 70 per cent.

That continues to leave the problem that I raised in the House before Christmas of those centres providing home support services across this province, particularly here in Metro, which, relying on a provincial government indication that 70 per cent would be provided, expended that money in the last calendar year and are now facing serious deficits.

### 1350

I am sure the minister, together with her colleague the Minister of Community and Social Services (Mr. Sweeney), will want to ensure that those centres do not go into a deficit position and that she will hear eagerly from them when they come to her and say that they have, say, a \$40,000 deficit. In some cases it will be much less, but we do not want to see any services to seniors curtailed because centres have run into deficits on the understanding that money would be made available by the government.

**Mr. Allen:** In the same vein, perhaps I can extend an additional remark or two on the same announcement by the same minister. It has been typical for many social program supports that have been provided by government to allow them to suffer the attrition of inflation at a rather serious rate. If the minister looks carefully at the rate of inflation over the period 1971 to the present, I think she will find that in the period from 1978 to about 1983-84 alone, inflation took a toll of 100 per cent of our purchasing power. I suspect that today's equivalent of \$15,000 in terms of purchasing power would be somewhere in the order of \$40,000.

I would like to enter a plea at this point in time with respect to this program and others like it, that when governments establish them, and when this government establishes any new ones, they index them to the cost of inflation, because the



intention must have been to provide a service at a certain level. In order to maintain that honestly and in good conscience, as a government it surely has to do that.

Also, the home support services program appears, at least to me and to our party, to inch along at an awfully slow pace in this province. We hope someone will put his foot on the accelerator reasonably soon and cover the province in a full and adequate fashion with these services.

#### FIRESTONE CANADA INC.

**Mr. Pope:** I would like to comment on behalf of my party on the ongoing inability of this government to help the Firestone workers, as evidenced today by yet another statement from a cabinet minister, this time the Treasurer (Mr. R. F. Nixon), who indicated the general situation but indicated no desire or effort on the part of the government to resolve the problem the workers are facing.

Yes, they are great at going to Ohio and having meetings with the chief executive officer and appropriate administration in that company, but they have no specific concrete direction and help for the workers involved in Firestone, no specific announcements of programs, and no money to help the workers' centre in Hamilton that my colleague the member for Burlington South (Mr. Jackson) has raised. Now today, there is a statement that these workers are not entitled to lump sum payouts of their pension benefits. So much for portability.

There is no indication from this government how the payment deficiency is going to be secured for the benefit of the workers. There is no indication today of what attempts this government has made through direct negotiation with Firestone or any other sources to fund the deficiency immediately in order to resolve this difficulty. There is no attempt by the government to address one of the basic problems contained in the first paragraph on page 3 of the Treasurer's statement, which indicates that in the event of a deficiency there is no portability.

Surely the Treasurer has an obligation, not only to the Firestone workers of this province but to all workers, to remedy that and to provide for ratable payouts. I find the statement of the Treasurer totally inadequate and heartless vis-à-vis the Firestone workers in Hamilton. It is time the government started doing something to help these workers.

#### HOME SUPPORT SERVICES AND ELDERLY PERSONS CENTRES

**Mr. Cousens:** I would like to congratulate all members of this House on the announcement for senior citizens because if we were not sitting right now, we would not have had this announcement today. It is a credit to this Legislature that we are starting off the new year able to have this kind of good announcement. For two days running we have had good news for our seniors.

We have to face up to the fact that our seniors in our province have made an investment in this province and for them to continue to live in the way that they want to, and therefore to stay in their own homes and receive the kind of home support and home care that is essential so that they can stay in their own dwellings—

Interjections.

**Mr. Pope:** The Liberals are mocking this. I cannot believe it.

**Mr. Cousens:** I did not think it was a funny matter.

For the seniors, it is a very important business that they be allowed to continue to thrive in their own communities and in their own homes. The more we can do to help them do that through effective home support programs, through effective home care programs and through the kind of community programs that have been started over a number of years, then those seniors have a sense of personal satisfaction and personal belonging to the whole community.

This announcement certainly leads in that direction and we would like to see several more things begin to happen around it. One cannot ever say thank you enough for doing more for our seniors. The minister, though, should make sure she gets the money out on time. If the honourable minister can do something with the Minister of Community and Social Services (Mr. Sweeney) to get the money out to the communities so that they can pay their staff on time, that would be another miracle and something that would begin to make it happen.

Also, the minister should do more, if she possibly can, to increase the salaries of those people who are out serving our seniors in the community. This kind of announcement will help that happen, but indeed their salaries are already at a low level. We have to bring them up so that more people are attracted to that service industry of serving seniors.

Finally, we have got to see effective programs in the community and far more done, rather than just the same old thing. Let us develop some new

ways of making sure that our seniors can get out of their homes, find ways of getting to community centres and become active and involved again in our communities. We are going in the right direction. Let us just hope that we can see more announcements tomorrow.

**Mr. Harris:** I think it is too bad that the largesse of the minister's statement does not match the size of her trillium brooch. I do want to compliment her. She is a true Ontarian, obviously.

Interjection.

**Mr. Harris:** I thought it was a pretty good comment.

This statement of the minister does nothing to help people like Neil Calhoun of Sturgeon Falls, 64, a widower and pensioner who cannot find adequate housing. He has a support service now. He cannot get up and down the stairs. He has written to both the minister, I believe, and to the Minister without Portfolio responsible for disabled persons (Mr. Mancini) over a month ago and still has no answer. He is still waiting for some answer, some response from this government to help people. He is 64. Maybe, according to this government, he does not qualify as a senior citizen.

### ORAL QUESTIONS

**Mr. Speaker:** The member for Nickel Belt.

[Applause]

**Mr. Laughren:** The applause from the other side has me nervous.

### TRADE WITH UNITED STATES

**Mr. Laughren:** I have a question for the Premier concerning the free trade agreement. For two and a half years now, the Premier has been giving us and the rest of Ontario a lot of assurances that he would not allow Ontario to be part of a free trade agreement that was detrimental to our interests. Now, four days after that pact has been signed, we are staring down the barrel of that agreement.

Is the Premier prepared this year to bring in legislation and make any regulatory changes that are necessary to clearly protect those matters within provincial jurisdiction?

**Hon. Mr. Peterson:** I believe, as my friend believes, that at least in the wine case and perhaps in other situations that may develop over some period of time there are some areas in provincial jurisdiction. At this moment, it is impossible to identify those precisely because the key in terms of determining the jurisdiction is not

the signing of the treaty, but is the implementation legislation that will come along possibly at some time in the future. We do not know the answer to that question.

I am sure my honourable friend, on studying the matter, will agree with me. That being said, I share with the member my view that we are under absolutely no obligation to bring in any legislation, regulations or policies in this province to align ourselves with the trade agreement in those areas that are in our jurisdiction. I do not feel any obligation to do so, and indeed that is part of the resolution before this House for debate at the moment.

1400

**Mr. Laughren:** Any such actions are not part of the resolution before us; our amendment yes, but not his resolution.

I have indeed studied the matter somewhat and I have followed the Premier very closely over the last couple of years. First of all, he said, "Let's let them work on a deal and see what it looks like." Then he said: "Don't worry. If we don't like it, we'll veto it." Then he said, "Don't worry about that either, because we'll lay down these six conditions and if they're not met, we won't have anything to do with free trade." Then he said: "Wait a minute now. Don't worry about it. They haven't met those six conditions, but let's wait until we see the final draft." Then he said: "Don't worry now; don't rush things. Let's wait until we see the implementing legislation." After that he said, "Don't worry about that either, because the Attorney General is doing a constitutional audit on provincial jurisdiction."

**Mr. Speaker:** Question.

**Mr. Laughren:** Since there are some very clear areas of provincial jurisdiction, such as regional development, some of our cultural industries, health services, social services and government procurement—all of those things within provincial jurisdiction—why will the Premier not make a commitment to bring in legislation that enshrines in the powers of Ontario, in law, matters that we think belong to us so that if there is a challenge, they challenge us for a change?

**Hon. Mr. Peterson:** I do not want to be unkind to my honourable friend, but that was done 120 years ago in our Constitution, in sections 91 and 92. I think that is the reality of the situation. The member can talk to some of the great constitutional experts in this House, but I know he would agree with me in that particular regard.



My honourable friend pointed out a number of things that he feels are within provincial jurisdiction, and if I may just have the floor for a minute, with great respect, I think my honourable friend is not completely accurate in his analysis. When the deal started off under discussion, they were talking about a complete procurement package: state, municipal, federal, defence and civil in the United States as well as all levels of jurisdiction in Canada. That was considerably whittled back, as the member knows, in that defence spending has been precluded from that. That would have been, by the way, a huge win for Canada; it would have given us great opportunities and would have made the deal beneficial if we had been able to have had access to US defence procurement.

It is now just a matter of federal governments, not provincial governments, and we do not have any control over that. But still set-asides exist in the United States, the small business set-asides and others, that render the thing, frankly, of very little utility, in my view. That is where I disagree with my honourable friend that we have jurisdiction in those matters that he has pointed out. The one that is very clear is the wine issue, and I think I have made clear to my honourable friend my views on that matter.

**Mr. Laughren:** Perhaps the Premier does not understand what I am trying to get him to commit himself and his government to doing. What I am asking the Premier is that since there are areas over which there at least is some dispute about the extent to which Ontario has powers to control them completely—such as the pricing of energy, hydro—will the Premier bring in legislation that clearly states, this year, that we regard this as within our jurisdiction?

If a year from now, when the free trade agreement is implemented, the federal government wishes to challenge Ontario's rights to make legislation in those fields, so be it. But how long is the Premier going to be the patsy who simply sits there, hands the federal government a blank cheque and says, "Do what you want with us"?

**Hon. Mr. Peterson:** I appreciate the honourable member's suggestion, and if I thought it had any utility, frankly, I would follow his suggestion; but I do not. I do not think any provincial statute asserting authority that we already have is helpful in this regard, one way or the other. If there is a constitutional question at some time in the future over the jurisdictions, it is going to be determined on the basis of the Constitution, not

on the basis of some provincial statute passed here in this House.

I think my honourable friend is trying to be constructive and I appreciate his advice, but I do not believe his idea is going to assist this matter in any way.

**Mr. Laughren:** I have a new question, and I will try to follow up in a way that perhaps will make it clearer to the Premier what I was trying to get at in my first question. It has to do with the whole question of the upgrading of our resources in northern Ontario.

The Premier will know that for years now section 104 of the Mining Act has stated that resources must be processed in Ontario. For years the cabinet, both in the federal government and in this government, has granted an exemption to Falconbridge from that requirement. This government has granted an exemption as well, I believe. They have allowed Falconbridge to ship its ores to Norway.

As a challenge to that free trade agreement, in order to stake out our clear turf on the right to control the processing of our resources for regional development purposes or for job creation purposes, will the Premier put an end to those processing exemptions and make a clear statement that the reason we are doing that is because we believe, despite any free trade agreement made between Ottawa and Washington, that we have the right to control the processing of ores in northern Ontario?

**Hon. Mr. Peterson:** I understand my honourable friend's point and I am not sure that the way to make the appropriate point is to end the exemptions under section 104 of the Mining Act, something that has gone on for some time. I am not sure my honourable friend is right that we have extended that exemption. The former Minister of Natural Resources will be aware of that. It seems to me they are still operating under an exemption given by the previous government, although I could be wrong about that. But I am not sure that is the way to make the appropriate point.

The question of subsidies and indeed processing is a very interesting one because that is the very issue that came under a General Agreement on Tariffs and Trade ruling with respect to the British Columbia processing. That whole question of forcing processing in our country is an extremely important one and not something I would like to give up, either for resource products or for mining products, fish or any other way.

I am told that is not the case in the circumstances, but I do not think, as I said, any legislation on section 104 of the Mining Act or any change of that exemption would make the point one way or the other.

**Mr. Laughren:** I will keep coming back to the Premier with other suggestions until perhaps he will find one he likes. Article 407 of the agreement states that there shall be no restriction of imports. The Premier will know that for many years we have raised in this Legislature the whole problem of the importation of resource machinery; 70 per cent of our forestry machinery is imported and 50 per cent of our mining machinery is imported.

Will the Premier, in the form of a clear challenge—not to be cute about it but just as a challenge to this free trade agreement that he does not support—bring in legislation that creates a crown corporation or a joint venture with the private sector, whatever way he wants, but that clearly sets out the goal of replacing imports in those two very important sectors, mining machinery and forestry machinery?

**Hon. Mr. Peterson:** I would not want to develop some artificial policy irrespective of its merits just to challenge an agreement that may or may not be worth while. My honourable friend has given me a number of suggestions to sort of trump up a case or fabricate some kind of fact situation in order to assert our sovereignty in these matters.

I assure my honourable friend that we will not stand for any diminution of provincial sovereignty in that respect, but I do not believe the member's suggestion of how to solve that is the appropriate way to test the situation.

**Mr. Laughren:** We certainly have a selective Premier here. I will try another one for the Premier because I know he wants to do something concrete that shows his opposition to this agreement. I think I am correct in that.

The Premier will know that it is now about eight months since the Treasurer (Mr. R. F. Nixon) brought in his budget and talked about a northern Ontario heritage fund. It is about four months since, in the election, there was a promise of \$30 million for that. At this point, there are no criteria for that being distributed. As far as I know, none of it has been distributed.

There is nothing there at all, and since the northern Ontario heritage fund can be seen as a regional development program by the United States—certainly it could see it that way—will the Premier bring in legislation that includes the northern Ontario heritage fund so that we have a

piece of legislation that clearly is designed to aid in the regional development of a part of our province that so desperately needs it?

**Hon. Mr. Peterson:** That is the intention of the government. The answer is that the member has hit on one good idea and we had that idea some months ago, but I appreciate the honourable member standing up in support of us in this House on that matter.

Obviously, my honourable friend is putting his questions in the context that we should do this as some kind of a challenge as opposed to the merits of the situation. I have said before that the heritage fund will be created and we expect to be able to introduce legislation some time in the not-too-distant future in that regard.

1410

I guess the deeper question my honourable friend is raising is the question of provincial assistance for industry, be it through the heritage fund, the northern development fund, the Ontario Development Corp.—God spare me for saying this—IDEA Corp. or things like that, the kinds of programs we have had in the past, rightly or wrongly.

We will not give up our right to do that. My honourable friend will be aware, on the other hand, that some of those things are potentially countervailable in the United States. We have not even escaped that under the new trade agreement and that is another major flaw of the trade agreement. But we have the right to work with our workers, assist industries and do the kinds of things that an active government would want to do, and we are not going to cede that sovereign right of our government.

**Mr. Brandt:** Talking about flaws and oversights, I have a question to the Premier with respect to some reports that have been released in regard to the free trade agreement.

I am sure the Premier would want the information that comes out of the government to be balanced and as accurate and specific as possible. Some time ago, the Premier released three reports condemning the free trade agreement. It is interesting to note that some four days prior to those reports being released, another report commissioned by this government, by the Informetrica firm out of Ottawa, indicated quite a different picture as it relates to free trade and the reports the Premier released.

Why would the Premier or one of the ministers of the crown take it upon himself to suppress that report, since it would have given some additional balance to the free trade argument that he has not



provided to the people of Ontario as of this point in time?

**Hon. Mr. Peterson:** That question was asked yesterday of the Minister of Industry, Trade and Technology. I will refer it to him.

**Hon. Mr. Kwinter:** To respond to the leader of the third party, the three reports that were released dealt with process. They dealt with the process of how the free trade agreement was being negotiated and were critical of that.

The Informetrica report was not tabled at that time because it was a background information bit of material that is now obsolete. It is obsolete in the fact that it referred to things that did not happen in the free trade agreement. It took as an assumption that the auto pact would not be on the table. It took as an assumption that there would be a differential in the way the tariffs were reduced. That was a background report that was available to us, as were others, and it was not released.

I should tell the member that in response to his request yesterday, our House leader will be tabling that report today and it will be available for him.

**Mr. Brandt:** When the minister talks about selective releases, background studies and papers, the headlines the government received at the time it released the three reports indicated 281,000 jobs were either sensitive or at risk in Ontario. The Informetrica report that I am talking about, which the minister has refused to release and which would not even be public knowledge at this point in time had we not brought it up yesterday, shows a net gain of 43,000 jobs in Ontario by the year 2005. It shows a 2.4 per cent gross provincial product increase.

I ask the minister again, when he is prepared to frighten the people of Ontario with this kind of nonsense, why does he not at the same time provide the other information which shows the opposite side of the question?

**Hon. Mr. Kwinter:** As I said earlier, the Informetrica report of November 21, 1985, is obsolete. It was based on premises and financial and economic models that are not relevant. It was based on an assumption that we would have access to US defence procurement. It was based on the assumption of other things that did not happen. I told the member we will be tabling that today; he will have that document.

I also think it is important that the member understands that was one bit of information. When he is talking numbers, we were talking quality of numbers and we were saying—and that report shows, if he takes a look at it, and he will

be able to see it for himself—that there were a large number of manufacturing jobs with a high value added component that were lost and replaced by low value added service jobs. It was not just the numbers. Again, it was not just quantity; it was quality that was important as well.

**Mr. Brandt:** That is a rather subjective analysis on his part as to what is quality and what is quantity in terms of the various reports.

Let me say to the minister that during the course of the discussion on estimates, he indicated quite clearly that there were no other reports to be released with respect to the trade agreement. I ask him to respond, if he would, very carefully to the question: are there any other reports that his ministry has commissioned or that he has knowledge of that have been undertaken by the government to have commissioned with respect to free trade that have not been released to this House?

I ask that question in the light of the fact that the Premier and his government have asked us to vote later on today with respect to a free trade agreement, and he has yet to release reports that would be invaluable in terms of information to the members of this House.

**Hon. Mr. Kwinter:** In estimates, I was referring to reports that were commissioned to deal with the decisions that were made based on our free trade decision. Over the last couple of years there have been many background reports prepared for this government. Some of them have been pro, some of them have been con, but they were all used as background material. Most of them are obsolete. They are obsolete in the light of the fact they were prepared before we saw the final agreement. But I give the member this undertaking that we will be referring to the committee, when it is considering this whole issue, many of the reports that we have—

**Mr. Harris:** That's too late.

**Mr. Brandt:** The House will have voted by then.

**Hon. Mr. Kwinter:** We have given the member that undertaking, and we will be providing them.

#### PERINATAL CARE

**Mr. Eves:** I have a question of the Minister of Health. The minister made a dramatic announcement that a new perinatal unit will be set up in Ottawa, and supposedly this will address the problem we have seen occurring in the past few days with respect to perinatal problems. The two

hospitals in Ottawa, the Ottawa General Hospital and the Ottawa Civic Hospital, inform us they already have level 3 perinatal units that they have been paying for out of their own pockets because this minister and this government have not been willing to fund the level 3 units that they have been funding on their own. They also inform us that they submitted proposals for funding over one year ago.

Is the minister proposing now that she is going to create a third level 3 perinatal unit in Ottawa or is she merely telling us today that what she is finally getting around to doing is funding one of the two that applied over a year ago?

**Hon. Mrs. Caplan:** Let me say to the member opposite that his information, as I understand it, is inaccurate; there is not a designated level 3 perinatal unit in Ottawa. We have been reviewing for some time the needs and the capacity within the perinatal system, and I have said that I will be looking to increase the capacity of that system in making a decision.

The Ottawa situation over the past year has been referred to on numerous occasions as "the baby wars." I was concerned because I had hoped a decision would be able to be made in a consultative and consensus mode within that area. The district health council was consulted as well, and in the light of the events in the last few days, where I was generally extremely concerned about our need to increase capacity and make a decision, I have said that I will be announcing very shortly the decision in the Ottawa area.

**Mr. Eves:** The minister fails to address the point. The point is there is not going to be one single new service provided as a result of her announcement of the funding. The fact is that these two hospitals are already providing the service they are paying for and that she is too cheap to pay for in that government over there. That is the fact and she is now going to get around to funding one of the two that is already providing the service and has been providing it for over a year. That is what she is telling us today.

**Mr. Speaker:** Question.

**Mr. Eves:** The minister is quoted as saying in the Toronto Star today that the problem is not lack of facilities, it is not lack of equipment, it is merely a "nursing shortage" that is creating the problem. That is what she is quoted as saying. Dr. David Peachey, a director of the Ontario Medical Association, says the problem is lack of ventilators, lack of equipment, lack of beds, as well as nursing staff. Does the minister agree or disagree with Dr. Peachey?

**Hon. Mrs. Caplan:** Let me respond in this way and say that any announcements I will be making in the near future around capacity will, in fact, increase the capacity in the perinatal system. That is the purpose of the announcement and that is what I will be announcing in the near future.

1420

Regarding the issue of nursing manpower and also as it relates to generally how we plan for our health professional manpower, it does raise the issue of not only nursing shortages but other shortages in the health care field, something that I am concerned about and have and will be discussing with my colleague the Minister of Colleges and Universities (Mrs. McLeod).

Because of my concern in this area, I reactivated the Advisory Committee on Nursing Manpower and I am pleased to inform the member that the committee met for the first time on December 11 and will be meeting again on February 5. I hope to be meeting and discussing with them on a regular basis their recommendations as we look at nursing generally.

To his specific question regarding this last incident—and I have not had an opportunity to discuss the matter with Dr. Peachey—the information we have is that there was not a shortage of equipment or respirators or ventilators in the neonatal units in Metropolitan Toronto. The problem there was that there was insufficient qualified nursing staff and that was the reason the baby was flown to Buffalo.

As the bottom line, my priority is to ensure that our system provides—

Interjections.

**Mr. Speaker:** Order.

**Mr. Eves:** Dealing with the issue of nursing shortages, I am pleased to see that the minister did in fact reactivate the advisory committee on December 11, after we asked the question in the House on November 23, I might add.

With respect to the nursing shortage question, Arlene Babad of the Ontario Nurses' Association says, "There is no question that a nursing manpower shortage has contributed to transfers of this sort," referring to the problems of the first five days of 1988.

We pointed out to the minister yesterday a nursing shortage at the Hospital for Sick Children. In the neonatal intensive care unit they have 24 vacancies currently, out of a nursing staff of 156. Also, the minister's own ministry last October did a Ministry of Health report which indicated that Ontario's hospitals needed at least



1,143 nurses and Metro accounted for 812 of the vacancies. The problem has grown worse since then.

**Mr. Speaker:** The question should be?

**Mr. Eves:** The point is that the ONA has been pointing out to the minister for over a year that there is a nursing shortage. Her own ministry last October—

**Mr. Speaker:** Order. Do you have a question?

**Mr. Eves:** What has the minister done to address that deficiency?

**Hon. Mrs. Caplan:** Let me inform the member that the reactivated advisory committee was reactivated on my request shortly after my arrival at the ministry. They met for the first time on December 11.

Let me say that the committee is responsible for interpreting nursing manpower data and advising the ministry about nursing manpower needs, patient care and related health care in the province. It also identifies and interprets trends and problems which impact on nursing supply and demand.

I would say that this is a broader problem rather than just nursing. It is related to how we do our health care professional planning. I would encourage anyone who has advice on this matter. Not only is this committee operating, I have met with the Registered Nurses' Association of Ontario and discussed this with ONA, and just yesterday with some of the senior executives of nursing women in Toronto, the executives from some of the hospitals, to discuss this issue. I think it is extremely important.

The Ministry of Colleges and Universities did increase the enrolment in September of last year and we are monitoring the enrolments to determine what increases are necessary.

#### TRADE WITH UNITED STATES

**Mr. R. F. Johnston:** In answer to the question from the leader of the third party, yes there are other reports and I have a copy of one here prepared, I gather, for the Ministry of Education or for the Minister of Colleges and Universities (Mrs. McLeod), to whom I will pose the question. It is chapter 5 of a document that I received in a brown paper envelope and is entitled, "Universities and Other Degree-granting Institutions and the Effects of Free Trade Upon Them."

The minister will know that since 1984, branch plants of American universities have been offering post-graduate degrees in this province while the Treasurer (Mr. R. F. Nixon) has

systematically been trying to undermine the ability of the Ontario Institute for Studies in Education to do so. This report indicates that if free trade goes through, it will be unfair for our government to stop a proliferation of those branch plant operations in this province.

I will ask the minister, in connection with the questions asked by the member for Nickel Belt (Mr. Laughren) to the Premier, what steps is she going to take to make sure that she reverses the situation that exists now, where it is easier for a branch plant to set up a degree-granting operation in this province than it is for one of our own provincial institutions? Will she take those steps, both for the good of the province and to challenge the deal?

**Hon. Mrs. McLeod:** The honourable member has made allusions to a number of factors which I am simply not aware of, a number of innuendoes which I would certainly welcome an opportunity to discuss with him. I am certainly confident in the graduate programs of our universities. I am not aware of the degree to which the free trade agreement might interfere with those graduate programs, and if the member has some specifics of a report which I am not aware of, I would certainly be interested in them.

**Mr. R. F. Johnston:** I will send the minister a copy of my brown envelope. I am surprised that she, as the minister, has not been made aware of this.

Another section of this report talks about the problems of our building our centres of excellence to be able to compete, especially given the fact that in the United States there is already incredible competition in centres of excellence, where only 100 universities out of 3,000 are given the right to do that kind of thing and we have only one university here that could possibly compete with them.

This report alleges, "Ontario may find the continental competition for high-technology-related research at least as difficult as the continental competition is within the high-technology industry itself."

I want to ask the minister, what is she going to do in the face of this agreement, which her report says is going to undermine the capacity of our centres of excellence, to make sure that they are able to compete?

**Hon. Mrs. McLeod:** I think it is notable that it is in fact in the area of high technology that there has been a tremendous thrust in research. By referencing the centres of excellence, those centres of excellence are all focusing on areas of high-technology research designed in order to

ensure that Ontario can in fact be competitive, whatever the changing situation.

#### PRA INTERNATIONAL INC.

**Mr. Pope:** I have a question for the Premier, who indicated on Monday that he was prepared to authorize a forensic audit by the Provincial Auditor with respect to the PRA International investment and, as well, IDEA Corp. The Premier by now will be aware that the Provincial Auditor has no statutory power to obtain private documents or to enter into private premises to obtain financial information and therefore, with respect to anything other than government documents, could not perform the kind of forensic audit he admits is necessary with respect to both PRA and IDEA Corp.

Admitting that the auditor has neither the personnel nor the statutory power to do a forensic audit and obtain the necessary information to see where this money went, will the Premier now have a judicial inquiry so we can have the power to get access to these document?

**Hon. Mr. Peterson:** I will defer to the minister.

**Hon. Mr. Kwinter:** As a result of the questions that were asked by the opposition, I should tell the members that my investigation has shown three things can happen. Members should be aware that the Ontario Development Corp. has all of the files of the IDEA Corp. companies, so we have access to those now; Ontario Development Corp., as a shareholder and under the shareholder rights, has access to those companies and is prepared to delegate that access to the Provincial Auditor; and the member should also be aware that we have various acts and statutes that allow the auditor to get into those situations.

Having said all of that, I want to assure members of the House that if the Provincial Auditor comes to us and says there is a certain provision that he cannot get access to, we will bring that to the House and we will provide the proper legislation to allow him to do that. I am giving my assurance that the auditor will have access to anything he wants.

**Mr. Pope:** I think the public of Ontario deserves better from this Premier and this government than it is getting on this matter. This is the same debate that was protracted over six months with respect to Wyda Systems, where the representative of Ontario Development Corp. indicated there was evidence of commercial fraud.

We went through the same debate in the standing committee on public accounts. The

Minister of Education (Mr. Ward) and other members of the Liberal Party who were on that committee can tell the Premier that it is clear now; he does not have to wait to hear from the auditor.

First of all, the Premier has not given him his terms of reference; they have not been delivered to him. He had not asked him in writing to perform a forensic audit as of half an hour ago, when I spoke to him. Not only that, but the Premier is aware—Mr. Carman is, and therefore so is the Premier—that he does not have the power to perform a forensic audit and that the shareholders' agreement, the same way it did in Wyda, does not give the Provincial Auditor or this government the right to do a forensic audit of private financial information.

1430

The minister has known that for a year. Now we have another instance of abuse of public funds. Is he going to have a judicial inquiry and get to the bottom of it, or is he going to sit around, as he did with Wyda, as he did with Graham Software, and watch the public's money disappear?

**Hon. Mr. Kwinter:** The member alludes to some wrongdoing, and I should say there is no proof whatsoever that anything was done that was of an illegal or improper nature.

The purpose of the Provincial Auditor's report will be to determine if in fact there was anything untoward in the administration of that particular loan. Once that report is received, then this Legislature is free to do what it wants with it. But to convict a company and say that there is wrongdoing before any proof has been tendered to this Legislature is doing a disservice to everybody involved with it.

**Mr. Pope:** On a point of privilege, Mr. Speaker: I would ask the minister to examine the transcript of today's proceedings and make the appropriate apology. I did not allege wrongdoing with respect to PRA. I did not—

**Mr. Speaker:** Order. Would the honourable member take his seat? It is not a point of privilege.

**Mr. Pope:** On a point of order, Mr. Speaker: He imputed a motive—

**Mr. Speaker:** Order. The member got up on a point of privilege.

#### HIGH SCHOOL COURSES

**Mr. Mahoney:** My question is of the Minister of Education. In the education system today—



**Mr. Wildman:** He is not here.

**Mr. Mahoney:** Is he not here? He was here. There he is.

**Mr. Wildman:** Why didn't you ask him out in the hall?

**Mr. Mahoney:** I will just wait. It is okay. I know the member will have trouble understanding the question.

To the Minister of Education: in the education system today it is necessary to present option selection sheets to students halfway through their grade 8 year, at the age of 12 or 13. This is a time of life of great change for a youngster and oftentimes unjustifiable hopes and wishes of the parents.

To quote John Fraser, the director of the Peel Board of Education, in his annual report he says: "Clearly, the decisions are called for too early in the life of a child. Age 16 or after grade 10 would be much more sensible. By that age, puberty would be passed, a significant prior educational history would be available and a clear set of interests and aptitudes would be held by the individual students."

Will the minister review the timing of these decisions by the students with a view to making them later in the educational life of a student?

**Hon. Mr. Ward:** I do understand the member's concern. Certainly at that particular age it is a very difficult and monumental decision for a young person to make relative to his or her future. The receiving schools do in fact try to provide as much counselling and guidance as possible, working closely with both students and parents in helping them arrive at those decisions. But I do want to assure the member that indeed that whole system will be under active review in the coming year.

**Mr. Mahoney:** The present system, while generally not failing youngsters, as we know, has failure built in. Students make the wrong decisions today for the wrong reasons and they make them too early, often prodded unfairly, and become frustrated as early as grade 9 and drop out. Will the minister assure this House that this review will take place as quickly as possible?

**Hon. Mr. Ward:** I want to assure the member that students do have the ability, once having made that decision, to register in other courses. They also have an opportunity to take up transition courses in order to enable themselves to do so. But I also want to assure the member that the review will take place very quickly.

#### TRADE WITH UNITED STATES

**Mr. Morin-Strom:** I have a question for the Premier with regard to a regional development

opportunity that may well be threatened by the fact that the free trade agreement may well impinge on our ability to set energy prices in this province.

As the Premier will know, there was considerable discussion at the Conference on Northern Business and Entrepreneurship held in Thunder Bay last November about the use of Ontario Hydro as an instrument for the development of the northern economy. Specifically, the Northern Ontario Chambers of Commerce have called for price breaks for northern consumers of electricity.

Is the Premier prepared to commit his government today to such a policy, which would assist in the development of the northern economy?

**Hon. Mr. Peterson:** I met with a group of mayors and municipal politicians when I was in Thunder Bay. They asked for an across-the-board cut and I said, "No, it is not in the cards as far as I am concerned."

We are prepared to look at selective use of Ontario Hydro for industrial development to make sure we are competitive; and indeed, discounts have been offered for thermomechanical pulping and other applications which are high energy intensive, the things that would create jobs for northern Ontario. We are pursuing that policy and I am not aware of any evidence that this is threatened at the present time, because I believe it is grandfathered.

**Mr. Morin-Strom:** I cannot understand why the Premier is reluctant to take a step that would clearly be in the interest of northern consumers and northern business, an area of the province which has a much higher level of unemployment than the balance of the province and requires such stimulus.

The Premier must know that the free trade agreement, specifically article 2010, seems to forbid or at least makes very difficult such a policy, which would protect Ontario's sovereignty in the energy field and at the same time would give us the opportunity to advance economic development in various regions of the province.

Can the Premier tell us today that notwithstanding the provisions of the free trade agreement, his government will look seriously at implementing such a policy in order to benefit the people of northern Ontario?

**Hon. Mr. Peterson:** I think the member asked me the same question in a little different way. My answer is the same I gave to him with respect to his first question.

## RENTAL ACCOMMODATION

**Mr. Cousens:** I have a question for the Minister of Housing. We have many surveys being taken on housing accommodation in and around the Metro area. Every survey paints an even bleaker picture of just what is available for people to rent in Toronto and the surrounding areas.

The Canada Mortgage and Housing Corp. survey that has just been released tells us something that I think we already knew: that you can get a two-bedroom apartment for \$1,000 a month. This is going to make it extremely difficult for people.

In the minister's opinion, what salary should a person or couple be making to afford such a unit?

**Hon. Ms. Hošek:** I thank the member for his question because it gives me an opportunity to say something about this number. We are very concerned indeed about the release of the CMHC number, but I think it needs a little bit of clarification.

The units CMHC measures are those that are vacant at any given time. The number that was raised, \$1,000 for a two-bedroom unit, is for units that were vacant. It was based on 107 units, of the 90,000 units in Metro, that were vacant at the time of the survey. The average rent of two-bedroom units in the city of Toronto and the Metro Toronto region is about \$570 a month. That is also a lot of money, but it is nothing like the number the member has given.

**Mr. Cousens:** I asked the minister just how much a person would have to be making to afford \$1,000 a month. If you are going to spend only 25 per cent of your salary on accommodation, you are going to need in the order of \$48,000 or \$49,000 a year to afford such a unit.

It is becoming impossible for people of low income to rent anything in and around Toronto and area. In Oshawa, for instance, on January 2, there was an article that indicated there are hundreds of people in the Oshawa area who are spending 50 per cent of their salary on rent. We are facing a problem in Toronto where the vacancy rate, according to CMHC, is 0.01 per cent.

Could the minister face up to this reality, or answer the question. When will the vacancy rate increase in the Toronto area from that 0.01 per cent, and what does the minister consider to be an acceptable vacancy rate in the Metropolitan Toronto area?

**Hon. Ms. Hošek:** The vacancy rate in the city of Toronto is clearly a problem, as it is in several municipalities in the province. That is one of the reasons we are doing so much to protect the rents of those people who are living in rental housing now. The average rent increase for people living in rental housing in Metro from October 1986 to October 1987 was 4.5 per cent.

I do not want to give the member a single number for what an appropriate vacancy rate is; clearly significantly higher than it is now. But let me also say that there has been a significant start in the building of rental accommodation in Ontario in the past year or year and a half. There has been a significant increase in the past year and I believe that increase will continue, but I am not going to minimize the fact that we have a tight rental market and many people of moderate income find it difficult to find accommodation.

That is precisely the reason we have extended rent review protection to all apartment units. That is precisely the reason we are expending our resources and building many more nonprofit units than have ever been built before in Ontario. That is exactly the group of people we are most concerned about—both the people who have very little and the people of moderate income who find the situation very difficult.

## FARM PRACTICES PROTECTION

**Mr. Adams:** My question is for the Minister of Agriculture and Food. The rapid growth of urban and suburban areas in recent years has put great pressure on farmers. Even those farmers who have resisted the takeover of their land by urban interests are being pressured to limit their farming operations to meet the antiseptic nine-to-five needs of rural suburbia. What is the status and scope of the so-called right-to-farm legislation?

**Hon. Mr. Riddell:** Bill 83, An Act respecting the Protection of Farm Practices, was introduced and given first reading several weeks ago. This proposed legislation, which will protect farmers who carry on normal farm practices from court action under the common law of nuisance, is given very high priority by this ministry, as it is by the farm community.

It is just one of a number of very important bills that have been introduced by this government. Had the members of the third party not decided to use four weeks or so of House time to filibuster the free trade resolution, we could well have dealt with many of these bills and had them passed into law by now.



**Mr. Adams:** In my riding, in the townships around Peterborough, there is a sense of very real urgency about this matter. The widening of Highway 115 and the extension of GO Transit east of Metro is putting extraordinary pressure on farmers in those areas. Can the minister give us some sense of the schedule of this legislation?

**Hon. Mr. Riddell:** I hope to move very expeditiously in the spring session of this Legislature. With the support of the members opposite, I trust we will get this passed and it will be in place for the very situations the member is now describing.

#### TRADE WITH UNITED STATES

**Mr. Reville:** My question is to the Minister of Health. Under the free trade agreement, Ontario faces a horrifying spectre of Kentucky Fried nursing homes. I wonder if the minister, in order to challenge the free trade deal, will commit now to using the regulatory authority provided under the Nursing Homes Act, in effect to deny national treatment to American investors wanting to enter this field, to expand existing holdings or to provide management or other services to nursing homes in Ontario.

**Hon. Mrs. Caplan:** As the member knows, and we have discussed this, I am concerned about the implications of the free trade agreement on health care generally in Ontario, not only in the area of nursing homes but also in the area of proposed surgi-centres, which might be imported from across the border and threaten the very fine system of quality health care that we have.

We are looking at what the implications might be, and I would be very pleased to discuss this with the member further. We are monitoring and watching to determine what the implications and effects might be. I share his concerns about the effects of the free trade agreement on health care.

**Mr. Reville:** What we need is a strong dose of preventive medicine from the Minister of Health, not a lot of expressions of concern. Perhaps today she can be the first minister of this government actually to commit to doing something real to challenge the free trade agreement. She knows that American investors can also take over the management of hospitals, ambulance services, drug addiction and alcoholism treatment clinics and other institutional and noninstitutional health services. In fact, we can forget 911 and we can start dealing with 1-800.

Will the minister now commit to exercise regulatory authority under the Public Hospitals Act, the Ambulance Act, the Public Health Act and other laws or amended versions thereof, to

deny national treatment to American investors, who in fact own some of the largest and most powerful health care companies in the world, to ensure that management and operation of Ontario's health care system are not really for sale?

**Hon. Mrs. Caplan:** Let me very clearly state to the member opposite, and also to other members of this House, that we are monitoring to ensure that we can do everything in our power, whether it is regulatory, legislative or fiscal. All of those options that we have will be examined as we determine what the implications, if any, might be because of our commitment to continue and maintain the quality health care system that we have in this province. I know he will join with me in assisting to ensure that we do maintain those efforts.

#### FIRESTONE CANADA INC.

**Mr. Jackson:** I have a question for the Premier with respect to the ongoing problems at Firestone.

Yesterday the head of the union at Firestone in Hamilton referred to the Minister of Industry, Trade and Technology's so-called "mission impossible" to Ohio. He referred to it as follows: "There's now a sense of finality to this roller-coaster ride.... It was a cruel ordeal for the employees to have gone through."

There is a file this thick of all the publicity the Premier has gotten on promises that he has not kept to the unemployed workers at Firestone. I would ask him to consider the human needs in this plant at this moment. He keeps talking about 1,300 workers whom he would assist, but in fact the best plans for saving that plant would net a benefit to only 800 workers. We still have to deal with and separate 500 workers who are getting their severance slips and will be unemployed after next Friday.

**Mr. Speaker:** Question.

**Mr. Jackson:** Since day one, we have known there were going to be 500 unemployed workers at Firestone. What specific dollars is he going to commit for retraining and relocation needs to those workers, not the 800 who will benefit from the \$30 million he might give to an American corporation—

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Peterson:** I think we have dealt with that question over the last few days; it is the same question that has been asked before. There are a number of programs. We have talked about

the adjustment committee that has been chaired by Anne Jones, and other programs.

This government, believe me, will not be parsimonious in helping those people to redirect their lives. My honourable friend asked for a specific figure. There are programs in place and it depends on the uptake, obviously, but I can say to him that we will be generous and we will work with those people. I think most of them feel—my honourable friend may have contrary information—that this government has been trying to lend a helping hand.

**Mr. Jackson:** I am advised by the Speaker that it is important that the Premier not be accused of misleading workers in Hamilton for a third time in this House, and I will respect that. The point remains that I have asked seven questions in this House, always on the same issue of the dollar commitment his government will make to the soon-to-be-unemployed workers at Firestone. He offered \$70,000 per employee to cover the 800 whose jobs could be saved by giving a loan to an American firm.

We are asking him to give us a dollar figure and to make a firm commitment, as he did on August 5 when he promised \$14 million to help unemployed workers with the Transitions program. He has spent \$62,000 to date for the whole province. There are 500 unemployed workers at Firestone. Give us—

**Mr. Speaker:** Order.

1450

**Hon. Mr. Peterson:** As usual, the member is getting carried away—

**Mr. Jackson:** I have Firestone workers in my riding. I am entitled to get excited about this issue.

**Hon. Mr. Peterson:** —but he is entitled to do that. I must admit I have some colleagues who used to get carried away the same way when we were in opposition. I think my friend is not characterizing this thing at all fairly. We all care about this—

**Mr. Jackson:** Put a dollar figure. You have spent \$62,000.

**Hon. Mr. Peterson:** If the uptake on Transitions is 400 workers, it is up to a \$2-million commitment. Obviously, we believe that some workers will take advantage of that situation.

**Mr. Jackson:** You have spent \$62,000.

**Hon. Mr. Peterson:** It depends on the uptake. I am not sure if the member was ever a member of the executive council, but his colleagues who

were will tell him that programs are set aside and budgetary allocations are made—

**Mr. Jackson:** Your own Skills Development minister said he would fund the Hamilton centre.

**Hon. Mr. Peterson:** You answer the question then.

**Mr. Speaker:** A new question. The member for Brampton South.

**Mr. Callahan:** In today's Globe and Mail, it is reported that Peel Memorial Hospital—

**Mr. Jackson:** On a point of order, Mr. Speaker: The Premier has asked me to answer the question.

**Mr. Speaker:** Order.

**Mr. Jackson:** Will the Speaker not rule that that is a referral?

**Hon. Mr. Scott:** Are you or are you not a candidate for the leadership of the Tory party?

**Mr. Jackson:** Amy won't let me run.

**Hon. Mr. Bradley:** Phil Gillies told me you would be running this time.

**Mr. Speaker:** Order. We will just be calm and wait. The member for Brampton South.

**Mr. Breaugh:** Here is my guy.

**Mr. Callahan:** I thank the member for Oshawa.

**Mr. Villeneuve:** And he is on his way to cabinet.

#### BIRTH CENTRE

**Mr. Callahan:** I noticed in the Globe and Mail this morning with some great delight a report about Peel Memorial Hospital, which is a hospital located in the riding of Brampton South and one for which, along with another facility, I have run in many elections trying to bring about a rectification of the health facilities in our community that were left unattended by the previous Conservative government. I was very pleased to see that the report of the reporter in the Globe and Mail was to the effect that Peel Memorial is expected to be selected today as Ontario's first birth centre for pregnant women who prefer less traditional labour and delivery practices.

**Mr. Speaker:** The question?

**Mr. Callahan:** I also note that the—

**Mr. Jackson:** Speaking of labour, will you get to your question.

**Mr. Callahan:** The Tories are doing exactly the same thing, Mr. Speaker. They did not look after Brampton in the past; they laughed about it.



**Mr. Speaker:** Order. You have a question. I believe it is to the Minister of Health.

**Mr. Callahan:** I note that the source the reporter uses says that the contest is between Brampton and one other possibility. I would like to ask the minister whether a decision has been made that Brampton will be the location.

**Hon. Mrs. Caplan:** As you would know, Mr. Speaker, the former minister announced early last year that three alternative pilot project birthing centres would be considered in Ontario in the areas of Ottawa, Toronto and northern Ontario. At that time, he invited proposals from hospitals in those areas.

I am pleased to inform the member for Brampton South, who regularly speaks to me about the health care needs of his constituents, that several hospitals have responded to the proposal call from the ministry. When the process is complete, I will be making an announcement.

**Mr. Callahan:** I draw to the minister's attention the fact that Brampton, as well as Peel region itself, has been identified by the good auspices of the Treasurer (Mr. R. F. Nixon) as a high-growth area. As a result, we have received an additional share of the revenues of this province to assist us in that regard.

I also draw to the minister's attention the fact that Peel Memorial Hospital was granted a five-room burn unit back in the days of the Conservative government—for what purpose, I will never know. It sat vacant, not to be used for any purpose whatsoever, other than perhaps board meetings. Recognizing all those factors, I encourage the minister that in the choice she makes it will be Brampton.

**Hon. Mrs. Caplan:** I am not sure that I noted a question in the last supplementary. If the question was whether I will note the member's supplementary question, I can assure him that I will and in due course will have an announcement to make.

#### TRADE WITH UNITED STATES

**Mr. Philip:** I have a question to the Chairman of the Management Board of Cabinet. The minister will be aware that the Mulroney-Reagan trade agreement contains commitments on equal national treatment for companies on both sides of the border that qualify and want to bid on contracts for goods and services offered by public agencies. He also knows that article 103 of the trade agreement commits the federal government to ensuring provincial compliance.

In order to protect Ontario's sovereignty and to advance the commercial interests of Ontario companies and protect Ontario jobs, what action will the minister take? Will the minister bring in legislation to ensure that all agencies of the provincial government will implement a Canadian-first preference in tendering all goods in this province?

**Hon. Mr. Elston:** I thank the honourable gentleman for his question. It has been a long time since I have had an opportunity to review the clock in this House as we wind through the proceedings. The honourable gentleman knows full well that we will take every step necessary to ensure that we comply with the opportunities—

**Mr. R. F. Johnston:** Come on, Murray. Give it your best shot.

**Hon. Mr. Elston:** —for the enhancement of Canadian production and for participating in the purchase or the sale of goods.

**Hon. Mr. Bradley:** You should answer some of the interjections over here.

**Mr. Speaker:** Order.

**Mr. Breaugh:** No coaching, Jimmy.

**Hon. Mr. Elston:** Mr. Speaker, I thought I was going to be able to answer a question today, but these guys do not want to listen to the answer.

In all seriousness, I am prepared to commit to taking all necessary steps that are open to the Chairman of Management Board to ensure that we have the best possible purchase opportunities for the people of the province. I can tell the honourable gentleman that one of the problems that exists in the government of Ontario that does not exist in the federal field is that we do not have any central procurement agency in the same manner they do federally.

But there are a number of conversations and chats going on through the auspices of the central agent—my offices, in fact—which talk about the manner in which tendering will occur, in which we set up the opportunities for acquiring goods and services for the government of Ontario. We will continue to make sure every step is taken to make sure we get a fair and equitable deal for the people of Ontario and that the people who produce the goods in Ontario will get a fair and very equitable shot at providing those goods and services to the people. That is our mandate and that is what we will do.

**Mr. Pope:** On a point of privilege, Mr. Speaker: The Minister of Industry, Trade and Technology (Mr. Kwinter), in response to a question asked by my leader, gave an answer that is totally at variance with the December 9, 1987,

proceedings of the standing committee on resources development examining his estimates. I refer the Speaker to pages R-31 through R-39 of the transcript of December 9, 1987, where the minister completely contradicted what he said today and said no other reports on free trade existed.

**Mr. Speaker:** I thank the honourable member for giving the House that information. It is certainly not a point of privilege.

### MOTION

#### BUSINESS OF THE HOUSE

Hon. Mr. Conway moved that, notwithstanding any standing order, tomorrow, Thursday, January 7, 1988, private members' business not be considered, that routine proceedings commence at 10 a.m. and that the House continue to sit through the luncheon recess.

Motion agreed to.

1500

### INTRODUCTION OF BILLS

#### PROFITS FROM CRIME ACT

Mr. Wildman moved first reading of Bill 92, An Act to prevent Unjust Enrichment through the Financial Exploitation of Crime.

Motion agreed to.

**Mr. Wildman:** This bill makes moneys earned by accused criminals from the sale of their memoirs payable to the Criminal Injuries Compensation Board, which uses funds received in each case to satisfy judgements obtained by victims of crime. It is a bill that was introduced a number of times by my late respected colleague from Riverdale, James Renwick.

#### JUSTICES OF THE PEACE ACT LOI SUR LES JUGES DE PAIX

Hon. Mr. Scott moved first reading of Bill 93, An Act to revise the Justices of the Peace Act.

L'hon. M. Scott propose la première lecture du projet de loi 93, Loi portant révision de la Loi sur les juges de paix.

Motion agreed to.

La motion est adoptée.

**Hon. Mr. Scott:** This is a reintroduction of a bill introduced in the last session which is designed to revise the role of the justices of the peace in Ontario on the basis of the report of Professor Alan Mewett of the University of Toronto.

### REPORT

**Hon. Mr. Conway:** I want to inform members of the House that I have laid on the table a number of copies of a November 21, 1985, study commissioned for the Ontario Ministry of Industry, Trade and Technology by Informetrica Ltd. re possible impacts of bilateral trade on Canada, Ontario and other provinces.

### ORDERS OF THE DAY

#### TRADE WITH UNITED STATES

(continued)

Resuming the adjourned debate on the amendment to government motion 8 on the proposed trade agreement between Canada and the United States.

**Mr. Harris:** Now that I have the Informetrica report, I guess I might as well read it into the record so that everybody else knows what it says.

**Hon. Mr. Riddell:** Be our guest.

**Mr. Harris:** Great way to proceed, gentlemen and ladies.

**Hon. Mr. Riddell:** I have the ministry to run. I would not mind staying.

**Mr. Harris:** The Minister of Agriculture and Food says he wants to stay and he should. As House leader for our party, I can tell him that we have kept insisting that Agriculture and Food be given more House time. I do not know why he is not getting it, but anyway. I will be careful. I am getting glaring eyes from the government House leader. As we come to the concluding day of this debate, it is probably not an appropriate time to talk House leaders' business.

Yesterday, I indicated that I wanted to talk on a few areas. One is the process, which is so very important, the way this particular resolution has been handled. Really it is why we are here today and why we were here up to Christmas and between Christmas and New Year's and after. I think that should be of interest to all members of the House, particularly those not in the executive council.

I also want to talk briefly about the General Agreement on Tariffs and Trade and the principle of freer trade and why it is supported by just about everybody in the world. I then want to talk about the principle of a free trade agreement with the United States and why it makes sense in the context of GATT.

I will then spend probably the least amount of time on the agreement itself, because so many of my colleagues have spent a considerable amount of time on it. I think the views of our party on it



are pretty well known, although there are a few aspects of the agreement that I do want to refer to and do want to give my thoughts on. I also want to put on the record the thoughts of North Bay, of the riding of Nipissing and of northern Ontario, some of which I do not think have been put so far.

First, the process. What is happening in the process is perhaps the most important part of this debate. I said as I started that it is the reason it has taken so long; it is the reason we have been here as long as we have been.

I ask the members to imagine, if they will, an important piece of legislation. In our view, free trade and this resolution are probably the most significant things to hit Ontario and Canada in a good number of years and probably will be for many years to come. I ask them to imagine a bill of that importance—I do not know of one; I imagine there is one—and the government calls first reading, introduces it, calls second reading, debates it in principle, calls third reading and it is passed into law, enacted into law, enacted by the Lieutenant Governor and that is it.

That is the final statement of the Legislature. Then it says, "Now we will refer this bill, this new law we have all been asked to vote on and decide on, to a legislative committee so we can analyse it in detail and so the public can come in and give its views, its thoughts on what in fact this legislation says."

That is what we are being asked to do with this resolution. I mention this because there are two forms of items we debate in the House. There are bills and there are resolutions. This one is a resolution and what we are being asked is no different. The resolution has been brought in and it refers to a free trade agreement that has been negotiated by the United States and Canada.

The resolution condemns it, as is the government's right to say what it thinks about it; I do not question that. It says that the action this government is going to take is a resolution encouraging the government of Canada to reject it and do everything it can to reject it and relays its condemning thoughts. That is fair. That is a fair resolution for the government to bring in. It is a wrong one in our view, but I want to talk process.

Now the government says: "We want you to vote on that. We want a final vote. We want to bring it to its final conclusion. We want to tell Mr. Reagan, Mr. Mulroney, the whole world, or at least the North American world, what we think as an Ontario Legislature, what all the members, what the majority of the 130 of us, think of this free trade agreement. After we have done that

and brought it to its final conclusion, then and only then will we give you adequate time to examine the free trade agreement in some detail. Then and only then will we allow you as legislators to listen to what the public has to say. We will refer it to a committee and we can hear; we can have input; we will have hearings. What does the rest of Ontario think? What do the unions think? What do the companies think?"

It is a totally backwards procedure and it is very wrong. Legally it can be done but it makes no sense. On top of that, just today we have the tabling of another report that was hidden, that was covered up, that nobody but the minister and perhaps the executive council knew about. Maybe it was only the Premier (Mr. Peterson) and the minister. Maybe it was only the minister; I do not know. If it was, we can be sure the minister will be hearing something from the Premier's office.

One thing we do know is that the members of this Legislature did not know this report existed and did not know what was in the report until yesterday, which I guess was the first time we learned it existed. Perhaps the minister or the Premier or the executive council will tell members whether they knew of it, but I know none of the rest of us knew, including the members of the Liberal caucus.

#### 1510

Here we have been asked to debate, and they have been asked—I know they have been told they will not be speaking today, that yesterday was their last opportunity to speak on it—to put their thoughts on the record before seeing this report. It would not have been tabled today if it had not been brought up yesterday by our party. We have had to drag out of this government every piece of information that in any way appeared to present a balanced viewpoint on free trade, save and except the report of the Ministry of Treasury and Economics.

I can only say that the Treasurer, the member for Brant-Haldimand (Mr. R. F. Nixon), is maybe not going to run again. This is probably his last election, his last session. In all conscience, he probably felt: "It is not fair. It is not fair to the public, it is not fair to the people who elected me, it is not fair to my colleagues for me to hide this report. I will table it in spite of the fact that it does not look too good for the government."

He is the only one. We wonder how many others there are. Some members may say that is innuendo, that I am implying there is something else being held back, and I do not know. That is



true: I do not know, but the example of this report and others, the history of the way this government and this Premier operate, tells me there very likely are other reports that have not been tabled.

I think the members of the New Democratic Party would want all the information, too. Gosh knows, there may be reports that are so overwhelmingly condemning that it will make the government look bad for not condemning the deal more strongly, as the New Democratic Party has pushed this government to do. We do not know. That is the problem, and that is the process problem.

I said yesterday that I did not want to get into the specifics of the particular communication, or lack of it, among the House leaders, and I will not do that. I just want to confine myself to what has really concerned us, that is, what we are being asked to do and with the information before us.

Why is this so alarming? Surely members ought to be concerned that they are being asked, as members of this Legislature, regardless of party affiliation, if one is not in the executive council, to give speeches. Can members imagine some of the things they have said, based on the information given to them? Maybe this report, after they get a chance to read it, will point out something they have said that is silly. At the time, with the information they had, it may have made sense. With the stuff fed to them to write their speeches, it probably made sense.

But I would be offended if I were one of those members. I would be offended if my own government held back information that caused me, perhaps, to give a speech that did not make much sense or did not reflect the whole picture. So it is alarming on its own.

It is also alarming in the context of other things we see this government doing and the way it proceeds. I am not digressing from the topic, but I think it is important that this be placed in the context of other examples.

Meech Lake: We on this side of the House implored the Premier, after the signing at Meech Lake of the tentative agreement, to take that agreement to the people, to open it up to the constitutional experts in Ontario, to open it up to the public and hold hearings before he went back to sign the final agreement. The Premier said no. Other jurisdictions had hearings. Regrettably, in my view, the federal government did not. I think it is regrettable. Our position was that there ought to have been discussion before the final signing—then; not after the hearings, before.

So Quebec had hearings. But what did the Premier say? He said: “No. The less you know

about this the better.” I guess that was his attitude. “So I am not going to tell you everything about it; I am not going to invite the constitutional experts; I am not going to invite opinion from the public; I am not going to hold hearings. I am going to go down and sign the thing and be finished with it.” Then he came back and said: “That is it, no changes. Like it or lump it.” Now we will have hearings and see what the public thinks.

In our view, that is not the way you should proceed. It is legal. To me it is a sign of arrogance to proceed that way. It is a sign of: “I am right, and if there is any chance that any evidence will show I am not right, I am not going to release it to you. I am going to go ahead and do it.” That worries me.

We saw it on Meech Lake. Now that it is all signed, we are going to have hearings on Meech Lake. We are going to hear what everybody thinks, but we are not going to be able to do anything about it, and I think that is wrong.

We saw it on Sunday shopping. We had an all-party committee on Sunday shopping. They studied the problem. They heard hundreds of presentations and briefs. They made some recommendations. All members of the committee signed it—there was no dissenting report—including the Solicitor General (Mrs. Smith). The Premier said, and I forget the exact wording, that unless there was something glaringly wrong or dastardly, or some wording to that effect, he would accept it.

In the election he said the committee had found that there was a consensus in Ontario for a common pause day. “I accept that,” he said, “and I don’t plan any changes.” Then when he came in with his majority and he was able to do what he alone wanted to do—

You must understand how the system is working. It is not only the back-benchers who have no say. I heard about their caucus. They were told what they were going to do. It is not only the back-benchers who do not have a say. The cabinet, indeed, does not, either. For if the Solicitor General, when she took them all out to dinner last week to thank them for sticking by her, signals anything to them, it should signal to them that in spite—

**Mr. Faubert:** I was not even invited.

**Mr. Harris:** Well, maybe she invited only those who supported her. Perhaps you spoke up. There is a price you pay for speaking your mind: You missed dinner, but you were probably able to sleep a little better.



Members should understand that the Solicitor General was overruled by one man. She was told: "I do not care what you thought was right; I do not care that that is what Ontario wants; I do not care that that is what all the committee said, and I do not care that you have to sign the report. If you want to stay in cabinet, you just buckle down and live with what I am going to tell you."

I think the Liberals really ought to think seriously—and I am taking a little time to go over the process of this free trade agreement—about what is happening to their rights, as well as to my rights and, indeed, to the rights of all members of this House—indeed, even those of some of the members of the executive council, strange as it may seem to them. I know when they first ran they thought, "Gee, when I get there I will be involved in the decision-making process." Now it is, "Gee, I guess when I get into cabinet I will be involved in the decision-making process."

They are finding out about this Premier and some of the cronies he has around him, some of the crony advisers, most of them from the Trudeau days, that that is how they operated in those days and that is how this Premier is operating. That is what is so scary about what we see happening in this process. The rights of all members are being stomped on in this resolution and in the concentration of power into the executive council, and the Premier's office is virtually taking over this Legislature.

1520

When the federal government came in with an overwhelming majority, the first thing it recognized it must do was to give more power to the opposition, it must give more power to the committees and it must make the role of back-benchers more meaningful. The reason they did that was that they knew they had a cabinet of 25 or 30 members, and in their case there are another 190 members. They knew that if they did not give those members some power, give the committees more power, they would face dissension. There was a self-serving reason for Mulroney to do it, but it was the right thing to do as well. It extended power to all members of the Legislature, more power to the committees.

When the funding formula comes up, as it does after every election, federal or provincial, the federal government said to the opposition parties: "You have lost hundreds of seats, but we will give you the same amount of money for research so that you can still play a meaningful role in this House. You still have the same number of ministries to critique. You will have the same number of committees—in fact, more committees

under the new structure." That is what happened federally, and it was a good thing. That has not happened here.

The funding was cut for the opposition. There has been some attempt to talk about committee restructuring, which we all agree with; but without the resources, we are not going to agree to it, with the example that we see of this government and the total disregard it is showing for the committees and for the recommendation of the back-benchers, whether it is an all-party agreement like Sunday shopping or something like Meech Lake, where they are a little concerned that even their own members, if they really get into the facts, may not agree with it, so they say, "We will sign it now."

When we get into free trade, if they hear from the public, if they hear what everybody has to say and what everybody thinks, they may not agree with this resolution. They say: "We had better get it voted on now before there is any rebellion in the back benches and they find out what we have done to them, before they find the information we have hidden from them," as we see from the report that we finally got today, which none of the members had an opportunity to read before they could give their speeches.

That is the process. That is the reason this debate has taken so long, because we know as far as the parliamentary process goes that this may be the last opportunity to debate free trade. The government, once it has taken its finality of position, may, if it wants, give us an opportunity again, but it does not have to. There is nothing we can do as an opposition to get the debate back on the table in this chamber.

We have taken our right to speak now. We disagree very strongly with being forced into this position. We recognize it is not illegal, it is just morally wrong. I think it is politically stupid, too, by the way. However, we recognize that if the Premier can control the 93 members of his caucus—I made a mistake yesterday—he can literally do whatever he wants, including shutting them out of the debate and out of any meaningful discussion or any meaningful input into what is going to happen in this place.

It is also the first major resolution to come before us since September 10. That is why it is so important. There have been a number of members who have talked to me outside the chamber and in the chamber saying: "How long are we going to be here? Why are we doing this?" I think it is important that the members opposite understand that what we are fighting for are their rights as well. Indeed, they may not all accept



that today, but I know from a number of private discussions with a number of them that they do agree with that and that they do understand.

**Hon. Mr. Wrye:** Put your hand over your heart; it has more meaning. This is good, very touching.

**Hon. Mr. Bradley:** It has nothing to do with free trade.

**Mr. Harris:** They cannot admit it publicly; I understand that. The members may not accept that today.

Interjection.

**Mr. Harris:** Well, I have given three examples; I could give others.

In the future, when more examples come along, when they are told to bite the bullet, "Never mind what you think; this is the way you are going to vote in committee, friends," when the whip comes running down into committee just as they are set to come to a vote on something or a debate on something and says, "No, no, that is not what Hershell wants," I want them to reflect back on this debate. I want them to reflect back on what they were asked to do in this debate, and they will see why this process bothers us. They will see why we condemn it and they will understand.

Some of them have already understood and have privately said to me, "Mike, we agree with you."

**Mr. D. R. Cooke:** Who are they?

**Mr. Harris:** I am not going to name names, but they will know who they are, and I respect that. I respect their inability to speak out at this particular time. They should think about it, because their rights are being violated in this Legislature.

I said I would talk on the process and I have done that. I want to talk about GATT for a minute before I get into this particular trade agreement. I am not sure if many members, particularly the new ones and even some of us who have been here for a while, understand what is meant by GATT, the General Agreement on Tariffs and Trade. I want to review briefly my understanding of GATT, not in any detail—members can read all that—but of GATT and of the importance of GATT.

The general agreement is the only multilateral instrument that sets out the rules for international trade. Its basic aim is to promote international trade by reducing or eliminating tariff and other barriers. Canada agrees with that. I think everybody in this chamber does. I know the

Premier does, so I am sure he has told them that they have to agree with it too.

Canada agrees with it; 86 or some-odd countries—I do not know how many they have—95 agree with that. The principle is that if you can reduce trade barriers, everybody benefits, so that if in the total world there were no trade barriers, no tariffs, this world would be a better place and each member country of the world would be a better place. That is what GATT strives for, and it does it through a system of penalties. Not only must there not be a tariff, but also there must be fair trade practices. You cannot dump. Dumping is when you sell something more cheaply into a market than you sell it for at home, and normally it is sold below cost.

Many of the members will remember the Lada car that was dumped in Canada by the Union of Soviet Socialist Republics. I do not know why the government accepted it. It sold here for about \$5,000 in its heyday. It came in here in the 1970s. I was in Russia in 1972. A typical car that looked like a Lada sold for about 15,000 roubles, or about \$20,000, plus about another \$5,000, we were told, to get on the list to be able to buy one. But it was able to be shipped with middlemen paid, distributors paid, dealers paid, salesmen paid, and sold in Canada for \$5,000. That is not fair. That is what GATT tries to avoid.

GATT says we will all benefit. I think the government of Canada and most people in Canada, certainly this Premier and our party, believe that. The problem with it is that it is difficult to get 95 countries to agree. It is difficult to get all the countries to agree. It is nearly impossible to get the European Community to agree. They have formed their own little alliance.

**1530**

The member for Cochrane South (Mr. Pope) can tell members how difficult it is to crack that market. He has spent considerable time there trying to get access to that market for our forest products. They told him to go away. They did not care about Canada.

The Pacific Rim, of course, is the other big market, Japan particularly. We cannot get access to Japan under those rules, so we have to go where we can get a deal. If it is good that the barriers are down, then we must accept that it would be good if we could reduce the barriers to our major trading partner.

It is good for two reasons. First, if the principle is good for all nations, it is good for one. The United States is our largest trading partner by far, so it is good, obviously, that way. There is a



second reason why it makes sense and is good: Instead of the clout of 25 million people trying to crack the European market, trying to crack the Pacific Rim, trying to hold out an example for the world why it must treat us fairly, it gives us now close to 300 million people. We are part of that. We will benefit.

I hear members saying in opposition to this trade deal that we should be going into the Pacific Rim, we should be going into the European Community, we should be less reliant on the United States. We agree, but those members are not doing anything about it. They have also found, as the Canadian government has found, that they do not want us. They do not want to treat us fairly if they do not have to. We need some leverage to get in. We need leverage to crack the European Community so it treats us fairly. We need leverage with the Pacific Rim countries.

The United States is having difficulty, with its big market that it has to offer. So aside from this agreement itself, there is an advantage for the United States to hold out as an example to other countries around the world: "We have a deal with our neighbour, one of our most important trading partners. We have a deal. We have been able to negotiate that deal with them. Now we are coming to you and saying we want you to treat us fairly as well."

There is a great incentive for the United States to sign a deal at any cost, whether it is totally to its advantage or not. It needs that example. That is why. That is one of the side benefits of a deal at this time and it is of tremendous benefit to Canada to have the leverage of the United States, as well, in trying to gain more access to the European market, to the Pacific Rim and to other countries. It is important in that way as well.

Aside from the fact of what most of the discussion has been around, it is a good deal immediately because it opens further access to the American market. It is not perfect. I am now going to get into the area where I do not know that this deal is perfect. I am certain it is not everything we would want it to be. How could it be?

I can tell members my marriage is not everything I want it to be. I hope my wife is watching today. I have had to make some compromises. I have not had everything my way. To my wife's credit, she has probably compromised more than I have, which has allowed us to last as long as we have, 39 years. No, it just seems that long. I just want to let her know I am well.

There are compromises. We had to go into a deal and negotiate the best deal we could for Canada. The condition was this: The United States needed the deal to show the rest of the world. It needed it worse than we did in that way. We had a President who recognized the global picture.

**An hon. member:** We had?

**Mr. Harris:** In the United States. He was interested in doing this deal with Canada. We have to have a national perspective. We cannot come into it with a provincial perspective or it will not fly. That is where we see all the protectionist legislation, and it was at a time when protectionism was rising in the United States.

Yesterday we heard from the member for Rainy River (Mr. Hampton). He talked about the desperate situation in the northern United States. He talked about mills closing. He talked about the problems they were having in Minnesota. That is because Canadians are thumping the bejabbers out of them; we are doing a better job than they are. There is free trade in those products and in those industries, and we are winning that deal. That is why they are suffering. That is why the protectionism is coming. But unless we have some kind of guaranteed deal, the status quo is not going to stay. We need that so we can continue to win in those industries.

In regard to the auto industry, there is growing resentment in the United States. We are winning in the auto industry as well. That is the free trade agreement, the auto pact that we have with them—a pact, incidentally, of which the union said, "No, Canada will crumple if we have to compete fairly with the United States in the auto industry." The union said, "No, we don't want the auto pact." The New Democratic Party said, "No, we don't want the auto pact." What happened when they got their free trade? Canada won again. We proved again that we can compete, and it has meant untold thousands and thousands of jobs and millions and, indeed, billions of dollars for us. So we want in the other sectors what we have had in some of those.

I want to give members a couple of interesting figures to think about for a moment. One is that, of the trade now between Canada and the United States, 80 per cent is duty-free; there is no tariff. We are talking about only 20 per cent left. I am not sure members knew that figure. We are talking only about 20 per cent; 80 per cent is now duty-free. So we are talking about extending that to the other 20, at the same time trying to hang on to the 80 that we have. We saw what happened

with the shakes and shingles. We saw what happened with the softwood lumber. We see the protectionist bills coming.

We have done very well with the 80 per cent. We are winning that. Now we want to extend it to the other 20, for two reasons: to be able to compete in those areas as well, but perhaps even as important, to be able to hang on to what we have, to be able to hang on to the 80 per cent that is duty-free.

I was intrigued today in the House. We had a question asked by the New Democratic Party to the Chairman of Management Board (Mr. Elston). Who asked that question?

**Mr. Philip:** I did.

**Mr. Harris:** The member for Etobicoke-Rexdale. He asked the question: "Will you guarantee a Canada-first policy for the Ontario government?"

I suggest to the member that I think free trade is trying to get away from that. I do not mind being on the record with that. Members can use that if they want to twist it out of some context in the future. They can use that. I agree with it as long as that is what everybody else is doing. I am one who has said we should have an Ontario-only policy as long as that is what Quebec has, but we should be striving to break those barriers down.

So now what they want, as an Ontario government with our budget of \$35 billion, is to lock up that market to the exclusion of the government outlays of well over \$1 trillion just by the federal government in the United States, plus all their state budgets. I do not know what they are, but surely we are talking \$2 trillion or \$3 trillion, or maybe 30 times as much spending power.

Members opposite want to say, "We are going to hang on to our \$1 to the exclusion of the \$30." That does not make sense to me. It does make sense that if they have barriers, we have them. We are trying to break down those barriers. We want access to American government spending, to state government spending and federal government spending because it is of a lot of benefit to us. It means jobs in Canada. It means we can compete.

1540

This leads me to a couple of other things I want to say. One is a speech that was given by Allan Gotlieb, if I can find the documentation. Allan Gotlieb delivered a speech that talked a little about how we, as Canadians, feel about ourselves, and it talked about how others see us as Canadians.

Here is the speech. It was delivered on September 10, 1987, to the Canadian Club of Ottawa at the Chateau Laurier. I do not want to read from the whole speech. There were several write-ups on it in the Ottawa Citizen. Interestingly enough, if members want to read an abridged version of it, Reader's Digest of January 1988 gives—

**Mr. Laughren:** Reader's Digest?

**Mr. Harris:** Yes, interestingly enough. It gave a synopsis of the speech. I want to refer to it briefly because it is important.

I have listened to people who are in favour of this specific free trade deal or any free trade deal and those who are opposed to any free trade deal or this specific one. It is not always so—I do not want to generalize and I do not want members to feel that, if they are opposed, I am lumping them in there automatically—but I have found that those who are in favour are those who tend to have a little more positive outlook on life, those who think well of being a Canadian and being able to compete, those who believe in themselves, believe in their companies and believe in our ability.

Those who have been opposed tend to be those who are afraid, those who think we are inferior, those who think we cannot compete, those who think: "The only way my industry can compete is if it is protected, that is, if the government subsidizes me unfairly, or if the government puts up a tariff and says, 'Nobody else in the world.' Even though we know they can make it better and cheaper than we can, we'll put up a tariff so the consumers can't have that product, and that will keep our industry afloat." That is how they want to survive.

I will tell members what bothers me about that. That is not the kind of world I want to live in. It is not the kind of country I see myself living in and working in. It is not the kind of country I want my son to move into. There are people in the United States who feel the same way. There are more in the United States than there are in Canada who feel the same way.

"There are a number of people in Canada who see themselves as far inferior to what we really are and far inferior to how the rest of the world perceives us. The myth of national inferiority is endangering a potential free trade agreement with the United States. We could make an error of historic proportions, as we judge one of the most consequential negotiations in our nationhood, if we fail to see ourselves as others see us,' Allan Gotlieb told a luncheon gathering of the Canadian Club in Ottawa.



"He said, 'Canadians tend to view themselves as a meek middle power'"—I did not like his generalization; some Canadians do—"reliant upon the protection and support of the United States, yet fearful of American domination.' We should not think of ourselves as the mouse and the elephant or as the modest middle power next to the giant or as a beleaguered society constantly threatened with absorption because he says the world does not see us that way and he says the Americans do not see us that way.

"There is no sign anywhere that the Americans see a trade agreement as a means to swallow Canada up. That is a Canadian myth. He said, 'It is this growing desire in the United States Congress to create an insulated, if not isolated, society that provides the most compelling reason to strike a free trade deal.'"

He goes on, and I commend his speech to the members. They can get it in the library and they can get a copy from me, if they like. If they cannot be bothered, they can read the Reader's Digest précis of it.

**Mr. Fleet:** That is what you are going to give us now, is it?

**Mr. Harris:** No, I am not. There are other people who want to speak today, but I am here to refer to it and to tell the members to read it. In doing that, I am also telling the members that I agree with it. I believe that what makes life worth while is not hiding in fear from others, but doing the best we can and being the best we can be. When we do it, indeed, as a nation, we have some natural advantages. Smallness has some advantages. We have proved ourselves to be the best.

That is why that attitude is one that I think makes life worth living. I think it will make Canada the big winner in this trade agreement. There will be far more jobs for my children and their children in the future. Canada will be a far greater power 20 years from now than it is today. I believe that. We have all the potential in the world. I know I am generalizing a little again, but it bothers me that those who appear to oppose this deal are those who do not feel that way. They feel we are the little Canada. We are always going to have to rely on the United States to have its nuclear warheads and its armies to protect us.

We are always going to have to rely on the United States for our entertainment and for our TV. If we want good TV, the joke in Canada is that we have to have cable. We have to get the satellite to get TV. I find it strange because I think that with our culture, our identity, our way of life, being Canadian, the stronger we are, the

better chance we have to keep it and to build on it. Those who pull back in fear and rely on protectionism will, in fact, affect their culture. That will affect their Canadianism.

It will also affect our ability to afford the social programs that are unique to Canada that we treasure. Some of us treasure them and would like them a little more than others. I admit that I am not one who feels that we should be putting significantly more dollars into social programs. I think some redirection of some of the dollars we have is more appropriate.

None the less, we do have some unique social programs. If we want to keep them, I believe we have to think positively about ourselves. We must be successful as a country. We must be successful as a company. We must be successful as a province. Free trade offers us a positive opportunity to strengthen what we have. It is not this versus the status quo. That is why it is good in multiples, because we must avoid the rising protectionism in the States. The status quo is not a starter.

Madam Speaker, I have talked to you about the process and I have talked a little bit about why I believe in the principle of free trade. I believe this deal is a good deal for Canada.

**1550**

I want to comment briefly about the deal. It is not perfect. I am sure if Brian Mulroney could have sat down and written out the deal and said, "This is what I want," it would have been different, it would have been stronger for Canada. It had better have been; you do not go into negotiations with the minimum that you are going to accept as your opening position. Any members who have been involved in negotiating—a lot of them have been trustees or on councils—or any members who were in businesses and who have had to negotiate salaries, know the union does not come in with the opening position it ends up with.

So I want to talk briefly about the deal and a few thoughts that I have on it, acknowledging it is not perfect. The interesting thing about this deal—

**Mr. Fleet:** It is not perfect; it is awful.

**Mr. Harris:** I guess maybe once the government quits covering up all the reports and gives the member more information, he may not think that.

**Mr. D. R. Cooke:** There is not a report on this deal—

**Mr. Sterling:** Neither are the other ones, David, neither are the other ones.

**Mr. Harris:** Perhaps while the members want to interject, I could have another glass of water. I want to comment briefly. A lot of talk has gone into this deal. I indicated I wanted to address my remarks to the process, to my own thoughts, to how I feel as a Canadian, as an Ontarian and some of the things that I thought might not have already been on the record, but I think I would be remiss if I did not refer briefly to a couple of aspects of the deal.

Securing access to the American market: Much talk, much discussion has been made about the dispute mechanism. I am not sure exactly what members thought we could achieve. Perhaps—at least I hope—Mr. Mulroney thought he could achieve more than he did; he should have. You do not go into negotiations without thinking that. The important thing is, was it a gain, is it better than the status quo? And even knowing that the status quo is a nonstarter, is not going to be with us, is it better than that? Most experts say it is; most experts say it is better than the status quo.

I have heard the Premier. I listen very carefully to what he says because sometimes he slips in things that maybe he is not exactly sure of. I think it is because deep down inside he probably believes in the deal, but for political reasons his flackies around him have told him, “You cannot do that.” He said in response to one question that it may be slightly better; he said words to that effect, something like that. Does he want worse than the status quo? Is that what he is saying? If it is slightly better, it is a gain; and I think it is a great deal better.

The other interesting thing about the dispute settlement, about this free trade agreement is that it is fluid, it is not cut in stone. A lot of it is still to be negotiated; a lot of it relies on good faith, as a relationship in a marriage does, as a relationship with a company and its employees does. If the government is that fearful of the United States, then I pity it, because it will for ever think of itself as a little mouse here in Canada: “Oh, oh, they will roll over us when they want.” I cannot accept that philosophy in life.

I also find it interesting—as I said, this is fluid—that it can be changed, that it can be improved upon. We will see how it works, and then both sides can renegotiate different aspects, small parts of it, the large part of it.

The other interesting thing about it is that if you do not like it, you can walk away from it in six months. If you do not like it, you walk away from it.

**Mr. D. R. Cooke:** After the damage is done.

**An hon. member:** What’s the big gamble?

**Mr. Harris:** What is the big gamble? There is no risk. The only risk is to dare to be good, to dare to be the best, to accept the challenge. That is all it is, and if you do not like it, you can cancel it.

You contrast that to Meech Lake, which those guys are flogging around here. Once Meech Lake is passed, it is finished. You can never, never change some aspects of the Constitution again. It will be finished. There is no mechanism. In fact, the mechanism now is that seven provinces have to agree. In the future, it will have to be 10. How is it ever going to change? If 10 provinces agree, there is no need to change it. So if nine provinces want something that is good for Canada and, for some reason or other, the 280,000 people of Prince Edward Island say no, that is it; it is finished.

Those guys want to whip that through. They want to sign that before hearings. They think it is wonderful. They think it is a good deal for Canada, a good deal for Ontario. Yet here you have a deal that, if you do not like it, you cancel it.

**Mr. D. R. Cooke:** The industry will be gone. How do we get it back if we cancel it?

**Mr. Harris:** Well, my colleague tells me that article 2106, “Duration and Termination,” says, “This agreement shall remain in force unless terminated by either party upon six-month notice to the other party.”

So I do not understand. I understand the political argument. I understand where the Premier is coming from. I understand politics. I understand that John Turner, probably even today, is in favour of free trade. It strikes me as odd that he was in favour of it for 50 years. How old is the next leader of the third party in Ottawa?

**Mr. D. R. Cooke:** He has been in favour of it as long as Andy Brandt was opposed to it; about the same period as Andy Brandt was opposed to it.

**Mr. Harris:** Listen, I might call him a friend and colleague. He will probably be calling us pretty soon, after the next election, to give us some advice on how to handle the move into third-party status, and I can give him some advice.

He is taking a political position, and I hope he watches this; I hope he hears I said it. The reason he has no credibility is that I do not think he believes what he is saying. And he does not have



any credibility. I mean, the polls show that, the public reaction shows that.

But he is taking a political position on free trade, and the Premier of Ontario, the guy that members opposite applaud and support and do whatever he tells them to do, whether it is right or wrong or they think it is right or wrong, has taken a political position in the last campaign. His advisers told him, "At this particular time, Premier, you must make these statements about free trade because it will create some fears and it will help you in the election." And it did. It was a good political decision.

Given the flip-flops and the way he has gone back and forth, for some reason or other I guess the advisers said: "Well, gee, I know we only meant to use it to get elected, but you have got to stick with it now, Premier. You have to stick with it." So he has kind of said, "Well, let us just be as wishy-washy as we can for as long as we can."

Quite rightly, the official opposition, the New Democratic Party, said, "No, you cannot be wishy-washy; you have to take a stand," and I think they have pushed him into trying to take a stand. Our party has said, I think quite rightly, "No, you must take a stand."

Politically, the official opposition won, I guess. They pushed him into more opposition to it, although many of the New Democratic Party members have told me they still think the secret agenda is to flip-flop further down the road.

I was interested in the comments that were made yesterday by the member for Lincoln (Mr. Pelissero). The member for Lincoln, if members will check Hansard—I do not have it with me; if I had it, I could quote it—said, and I hope I paraphrase correctly, something to the effect that this deal should be analysed, it should not be rushed into; that perhaps six months should be taken to take a good, in-depth look at this deal to see if it is good for Canada.

I agree. We agree. That is what this debate is all about.

1600

**Mr. Fleet:** You are supporting it without—

**Mr. Harris:** Yes, we are. We do not want to. We have been forced into a position, you see, of saying, "You must give your one and only guaranteed speech in the Legislature now, before you have a full chance to examine it, before we have public hearings, before you read all the secret reports that we have been hiding," and they finally sneak in. So I agree with the member for Lincoln. What happened on Meech Lake was that there was a tentative accord. We asked for hearings then: "Let's take some time before you

do the final agreement." The Premier said no and away he went. The member for Lincoln said, "Let's take some time."

What has happened? The federal government has signed and said, "Look, we're going to sign this and then we're going to present it to our House of Commons, we're going to present it to the country." The Americans signed it on January 2, so: "We're going to present it to Congress, we're going to study it and we're going to see if it's a good deal. Then we will ask you all to vote on it and we will accept it or reject it."

The only place that is not happening is here in Ontario. We have been told: "No. Vote against it right now. Condemn it right now. Hide the facts if any of them look as if they do not agree with our position and vote on it right now."

It is interesting—

**Mr. D. R. Cooke:** Where is Andy Brandt? He said we had to decide.

**Mr. Harris:** The member for—where is his riding? I might as well get him on the record—Kitchener (Mr. D. R. Cooke) refers to a resolution from my leader.

**Mr. D. R. Cooke:** He wanted immediate endorsement.

**Mr. Harris:** No; my leader wanted a debate. The resolution was for an emergency debate. Unfortunately, the member for Kitchener—and he has been here for over two years—still does not understand the rules of the House. We agreed, as House leaders, to debate free trade for one day and then refer it to a committee and study it, and then we were brought in a resolution that said, "Condemn it and vote on it."

So my leader said: "No. Here, we will give you our resolution, but you don't have to vote on it." There is no vote on an emergency debate. That was our way of living up to the commitment of having one day's debate without a vote on it, as we all agreed on.

The member for Kitchener, when he understands the rules of the House, will understand. Even though the Premier said, "Guys, yell this at them"—see, the Premier does not know that, either, when we first mention it. The Premier does not know many of the rules of the House. Otherwise, he would not have undermined his House leader so badly.

**Mr. D. R. Cooke:** So you're saying he wasn't serious.

**Mr. Harris:** I am saying he presented it for consideration but not to vote on it.



There are a few other little things I do want to get on the record before I turn it over to my colleague the member for Carleton (Mr. Sterling). There are a few things that I do not think are on the record yet, and they have to do with North Bay and they have to do with northern Ontario. I want to refer to a couple of those, if I may. I want to mention a few industries in North Bay:

Shadwood Industries, a joint venture with a United Kingdom firm and a Toronto firm to manufacture battery chargers in Canada. The company now exports from England to North America; 90 per cent of the market is the United States. They want to manufacture somewhere in North America to service the North American market. They chose North Bay—130 jobs. For us, that is like Toronto getting 50,000 jobs. You would think it had some impact, those of you who are from Toronto. It has a major impact on my community. They are under construction. If they did not have guaranteed access to the American market, could they afford to set up a plant in North Bay? Of course not. They would either have to continue servicing from England or they would have to locate in the United States.

Styrotech Industries: up to 30 jobs. It has just announced it is coming to North Bay, manufacturing Styrofoam products for the North American market. If they do not have the United States market, are they going to locate in North Bay? No; they cannot afford to.

These companies cannot locate in communities of northern Ontario just to service northern Ontario or just to service a regional market. They can if it is a North American market or a global market, but if it is to service just Ontario, if you want to be the little mouse and just service Ontario, there is only one place you can locate economically. It is in Toronto; it is in the Golden Horseshoe.

That is why we have had difficulty attracting industry to northern Ontario, but now through a concentrated effort—I am talking about secondary manufacturing. We have the forestry jobs, although they are threatened if we cannot at least maintain the status quo or gain assured access. We have the mining jobs. But we do not have many secondary manufacturing jobs and we are starting to get them. We have worked hard.

Former governments have given money for infrastructure. Former governments have given money for incentive loans. This current government has maintained those incentives, as has the federal government, but you have to have the market. When you can get the North American

market, then you can afford to locate in the smaller areas in northern Ontario. You cannot do it just for the northern Ontario market, and if it is only for Ontario, it is more economical to be in southern Ontario.

I have Borden Chemical, the same. I have Dupont Canada Inc., the same; particularly the operation Coutts took over. That is the former adviser to Pierre Elliott Trudeau. He took over the Fabrene operation of Dupont. I want to tell members why Dupont sold. Dupont sold the Fabrene company—it had to be to a smaller Canadian company—because it had so many deals with other American companies that it could not compete in the United States market.

It could do what it wanted in Canada and it got the Canadian market. Then we heard rumours it was going to shut down. Then we heard rumours about this and that. But it could not compete because it had noncompeting clauses with companies in the United States. Now it has been sold to a Canadian holding company headed by Mr. Coutts and now it can compete in the United States. I know the management sees a bright future for expansion of this company into new markets in the United States. That is what we are trying to secure.

Reichhold chemicals, the same. I was going to say Bavarian Meat Products—I want to mention them because they are good supporters—but I think they can live with or without free trade. They service mostly the northern Ontario market.

**Mr. D. R. Cooke:** Whom do they support?

**Mr. Harris:** They have been very supportive of my efforts, as have most Liberals in my area. That is why I get elected. There are more Liberals than Conservatives there.

L. E. Hansman Equipment; Feldcamp Equipment; L. H. D. Equipment Ltd. L. H. D. Equipment Ltd. has grown since 1983 from some 30 employees to 95 employees. It is a fantastic success story. Most of that growth was to the export market, much of it to the United States. T. K. Hydraulics: The Premier himself gave the young owner an award. It relies on trade to the US. You have to have access to the American market.

I could go on, I suppose, with a number of other companies. We do not have a lot of big ones. We have a lot of small ones. Schauenburg Industries; its big problem now is that the government wants to give a grant to a competitor. It is going to create five jobs and take 10 away from them. Another thing this government does not seem to do very well is screen the grants it



fritters away and wastes—R. A. Warren Equipment; J. S. Redpath, a strong international firm; Pilot Diamond Tools; Patrick Harrison Co. Ltd.

1610

**Mr. Pope:** That would be a refreshing change from what we've seen over there.

**Mr. Harris:** That is right. There are a number of companies in the United States.

I mentioned at the start, though, the first two companies because they are new, because they are coming with access to the North American market. They have to have the American market. Our economic development department will tell you we have a number of contacts with German companies, with other European companies, with Korean investors and with business people. We have had several delegations to North Bay.

We are looking at the Pacific Rim companies that are looking to locate somewhere to manufacture for the North American market. They are not going to come here for the Canadian market. Unless we have that guaranteed access, unless we have this free trade deal, these companies are not going to come to Canada.

If they have a choice between Canada and the United States, where are they going to go? I tell members, most of them like Canada. Our international image is a strong, positive image. They think of Canada as a winner. They want to come here, but they cannot come here if they cannot have access to the American market.

If my friends are successful, if they are able to block this free trade deal, if it does not go through, we are going to be far worse off. Industries like these are not going to move into Canada; they are going to move to the United States and the jobs are going to be created there, because you cannot set up a manufacturing operation economically for 25 million and compete with a company that sets up for 250 million or 300 million. That is the reality.

I could mention some editorials in the North Bay Nugget. It is not likely that anybody else here refers to the North Bay Nugget.

"One thing is sure about the free trade deal—very few Canadians will ever completely understand it." That is the case with much of what we do. "It is reputed to comprise 1,000 pages." It goes on: "Above all else, Canadians have to retain an open mind. It may be the best thing since sliced bread, or the worst, but it is too important for emotion or prejudice. There is only one question: Taking everything into consideration, is it a good deal for Canada or not?" I ask members to take everything into consideration.

What else have we had from this Premier when they have asked northerners to consider this? I want to show members two headlines. Northern Ontario Business is one of the best-read newspapers in northern Ontario, certainly by business people, with one of the best understandings of what is good for business in northern Ontario. "Premier Lets Us Down on Trade"; that is what northern Ontario business people think of this Premier.

Then what does the Premier say? He says, "North gets Nothing from Free Trade Agreement." He brings it down here and tells the Minister of Northern Development (Mr. Fontaine): "Shut your yap. Take this, flash that around in the caucus. I have spoken. Never mind what Northern Ontario Business says. Never mind what the companies in northern Ontario say. Never mind what the Northern Ontario Tourist Outfitters Association says. Never mind what the northern chambers of commerce tell you. Never mind what all the other opinion is, I have spoken." He does this House, he does the members, a disservice when he does that.

I wanted to refer to one other article, by Christopher A. Sarlo, who gave a viewpoint on free trade on page 5, Monday, December 28. Mr. Sarlo is a professor at Nipissing University College:

"The best way to understand the gains from free trade is to imagine a society with no trade. In such a society each family must be self-sufficient; it must produce whatever it consumes. What would living standards be like in this society? What would be the state of development of science, medicine, the arts and education? Now, open up this society to free trade; quickly, individuals begin to specialize in producing those things they are particularly good at and use the income they earn from this activity to purchase the things that others produce. Specialization yields tremendous gains in economic efficiency. Far more is produced than consumed, less effort is required to earn a living and, therefore, more time can be devoted to activities other than substance."

It carries on. I am sure members can visualize, as they take it from there.

The reason we can have the programs that we have, the lifestyle that we have, the Canadian culture, our identity, is all embodied in our ability to produce more than we consume and the ability to trade and find people to buy our goods. It is a good article. I will photocopy it and share it with anyone who would like to read it. I do not



want to take the time in the House to read it all. I think that is the gist of it.

I want to be clear that I am expressing the opinion of Christopher Sarlo. He criticizes the deal for a number of reasons. He criticizes it because it does not do away with marketing boards, he criticizes it because it protects the beer industry, he criticizes it for all of those things. He would have the deal go much further. Some of us recognize the realities and realize that at this particular stage it probably cannot go any further. Once we take over the United States, it can. I say that tongue in cheek, but I say it as I close because that is the difference between those who look positively at life and at themselves, as individuals, as companies, as a province, as a nation, and those who see themselves as less than what they are.

**Mr. Laughren:** That is a bit much.

**Mr. Harris:** If the member had been here for all of my remarks he would understand.

**Mr. Laughren:** I was.

**Mr. Harris:** I believe that, and I believe it is important and leads to an important quality of life and an important quality of lifestyle that we enjoy in Canada.

I conclude by once again summarizing. The process is wrong. The process violates the rights of all the members of this chamber, and I ask them to reflect on that. This resolution is wrong on its own merits. The principle of the resolution is wrong. The intent of the resolution is wrong. I ask all members of the Legislature to reflect on the unfortunate fact that we have to vote on it today and to reflect on the wrongness of the resolution itself. Since we are now debating the amendment, I ask all members to vote against the amendment as well, as they reflect on this particular deal.

1620

**Mr. Sterling:** It is indeed an opportunity, which I believe all members of the Legislature should have, to speak on this most important topic, this most important agreement that we have entered into. I want to urge my Liberal caucus colleagues across the way; I want to put these words to them: "Let's avoid a hasty or close-minded rejection of the ideals and aims of this accord. It is worth a careful second look."

That is what we are asking for in the Progressive Conservative caucus. We are saying to the members across the way: "Let's look at this deal. Let's sit down in the committee, look at it thoroughly and have a reasoned look at it. We

can then come back here, speak about it and then let's vote on it."

The members might be interested to know who said that. It was a Liberal MPP, the member for Etobicoke-Humber (Mr. Henderson). He said he wanted to look at the deal. It was one of their Liberal colleagues who said let's not reject this deal outright, let's have a look at it, let's deal with it in a reasonable and logical fashion."

The date of that is December 30, 1987. It says, "Liberal MPP Believes in Free Trade." I guess we should stand and say, on behalf of my colleague the honourable House leader, who yesterday talked about 93 trained seals, I think we only have 92 trained seals. At least one of them speaks and thinks for himself, and is willing to put forward his ideas.

I would like to say that I am proud of the participation that the caucus members of the Progressive Conservative Party have put forward in this debate. I believe all but two or three of the members of this caucus have seen fit to enter the debate and put forward their remarks.

I note as well that many of the members of the New Democratic Party have put forward their case as well.

I would have liked to have heard more of our Liberal members talk on this particular issue. I realize it must be difficult for them because I get the distinct feeling, as I just read from one of the braver members of the Liberal caucus who put his remarks down in public, that many really do believe, as does the member for Etobicoke-Humber, that they are searching for that brass ring to which the member for Stormont, Dundas and Glengarry (Mr. Villeneuve) referred a few days ago.

The debate on free trade in this free trade agreement is difficult for the public to understand. That is understandable as well, because this bilateral trade agreement that we have been talking about is indeed a complex legal document.

In reaching a fair agreement between two countries we cannot only look at tariffs at the border. We must ensure that other rules within our countries, the negotiating countries, do not negate in a backhanded way the intention of the agreement. So the choice of giving away some of our rights of self-determination in order to secure foreign trading markets is not to be done without a great deal of thought and concern.

This idea of giving up some of our right to govern ourselves is not unique to this particular instance, or to any one of the three political parties that are involved in this debate in this



Legislature. In fact, all of these three provincial parties have said that they support the multilateral negotiations under the General Agreement on Tariffs and Trade.

Canada has been a member of GATT for over 40 years. That means we have been willing to give away some of our rights in this country to control our own destiny to an organization to negotiations where we only have one vote in about 90. Under GATT there is no choice; either one abides by its rules or extremely serious sanctions are taken against one. Yet both of the other parties in this Legislature, while supporting a very permanent trading arrangement under GATT, are frightened of a bilateral agreement with the United States.

We think this particular agreement will work to the benefit of both our countries. But just in case it does not, and if all of those frightening things do happen as they were conjured up during the election, we can terminate this agreement on six months' notice. That is contained as the very last article of this particular agreement, article 2106.

It seems to me that there is an inconsistency in the position of both parties in terms of dealing with GATT and this bilateral agreement in two different ways. We have been fortunate in this province over the past years. We have reaped the benefits, in a large part, of our manufacturing industry here in Canada. Yet now we have portrayed, through our Premier, that our province is a parochial, small-town jurisdiction which gloats in its wealth at the expense of other provinces.

Unfortunately, those other provinces have not been as fortunate or as successful as we have been. We have benefited from free trade in the past through our automotive industry. But we do not want to give the rest of Canada the same opportunity. That is how we are seen from within our country by other provinces.

How are we seen from outside our country, from other countries' point of view? I hope that they are not listening to the crying and complaining of our premiers and that this is not damaging our Canadian reputation as an international trading nation. I suspect that it is not, even though there has been no lack of trying on the part of our very own Premier.

I believe it must be encouraging for other countries to look at Canada and the United States as an example of how two friendly countries can enter into a substantial trade agreement when, in other parts of our world at this very time,

countries are shooting at each other and are engaging in hostile activities.

There can be no doubt that any agreement must rely on some trust between the parties to the agreement. Our party still considers the United States as one of our closest friends and allies. When we try to write all of the matters that will happen in the future into an agreement, we know that cannot be done. We have to rely on good will and good faith in working out the details of this agreement.

We have been able to do that in this province. We have been able to do that with regard to the auto pact over the past 22 to 23 years. I am confident that we can work out any of the problems that we would face under this agreement and we will work to the benefit of both our countries.

As an aside, I would like to indicate the kind of paranoia that arose when the auto pact was introduced into this particular country. Some 22 years ago in the city of Oshawa, where I was working as an engineer at that time, I went to my first political meeting to hear Tommy Douglas come into a union hall and speak about the auto pact. I went because I heard that Tommy Douglas was a tremendous speaker. I was interested in the auto pact. I went to listen to Tommy Douglas speak about the auto pact and I heard him condemn the auto pact for over one hour. He was frightened of the effects of the auto pact. He said the New Democratic Party was against the auto pact at that time.

Shortly thereafter, the NDP changed its mind. It changed its mind because it decided that there was opportunity and a challenge which could be met. I would ask that they consider this agreement in the same light. I believe that this agreement is a challenge and that we can prosper and increase our ability to compete in the future. But we do not agree that we should have a treaty or a free trade agreement at any cost and we have been consistent in this attitude over the past year. We would have liked to have had more advantages for both Ontario and Canada, but we were under no illusions.

**1630**

I stated to the people of my constituency during the election that given the choice between the status quo we now have in Canada and Ontario and any new free trade agreement, I would choose the status quo, but the option of the status quo does not exist. We cannot choose the status quo. Things are changing in this world; things are changing in the United States which take us away from that choice.



I believe we should support this deal for three main reasons. I will refer to the protectionist sentiments in the United States, the need to secure existing and new access to markets, and the necessity of a strong economy to support our social security system.

Many other speakers have mentioned that there is a growing protectionist sentiment in the United States. In a speech in July 1987, Richard Gephardt, chairman of the Democratic caucus of the United States House of Representatives, said after bemoaning the unfair trading practices of other countries, "What is appropriate for America to do to open markets to the extent our markets are open?" He went on further, "It is not a question any longer of whether we should do something to be tougher to open those markets; the question is what to do."

In a speech to a conference sponsored by the trade policy committee of our caucus in April 1987, Congressman Donald Bonker, chairman of the subcommittee on international policy and trade, said: "Many of our industries have been ravaged by imports. High unemployment occurs in almost all manufacturing sectors. Agricultural communities are hard pressed by overproduction and depressed prices. So the question isn't whether we should ignore our trade deficit; the question is, how can we confront the problem?"

That is why this is the number one issue in terms of the United States Congress at this time.

I say it is better to be part of seeking a solution with the United States, rather than standing back criticizing and carping and coming up with no solid proposals how to solve this problem for both trading partners, and that has been the sorry record of this provincial government over the past eight months.

The second reason for support is our need to secure the existing markets we enjoy with the United States and to gain access to more markets in the United States. At the present time, 90 per cent of our exports from this province go to the United States. We have enjoyed an almost-free-trade environment at this time. It is estimated that 85 per cent of all goods from Ontario now pass the border with minimal or no tariffs.

Experience has shown over the past decade that as tariffs have fallen under the GATT negotiations, Ontario's economy has improved. Even our weakest sectors have been able to cope. That fact, as a matter of record, is in one of the government reports that this government has selectively released to us.

Why, then, is there such paranoia about this agreement? I suspect it is paranoia to win votes,

not to save Ontario's economy. I suspect Liberals sat down and said, "Is it easier to support the Prime Minister at this time"—I am talking about the summertime when an election was called—"or is it easier to scare the devil out of the people of Ontario?" I believe the Liberal Party, going into that election, chose the latter. I must admit it worked.

Under this agreement, Canada will have the right to participate in a process dealing with American firms which step out of line, and we will receive more favourable treatment regarding tariffs being imposed in the future. Arguments which might have been valid in the 1960s and 1970s are no longer valid for the 21st century, when dealing with trade practices with the United States. Like it or not, we are now part of a global economy. We can no longer pander to protectionists and bury our heads in the sand. If we are going to continue to enjoy the standard of living we enjoy today, we have to become more efficient and more competitive in what we do.

This brings me to my third point in support of this agreement. We must seek new ways to support the existing social security system we have in place. We are fortunate in our country to have a system of social benefits which enhances the living style of all our people, be they rich, middle-income or poor. But where does a social security system come from? It does not come from government. It does not come from politicians. It does not come from Parliament. It comes from the taxpayers. It comes from the people of Canada in the taxes they pay each year. We can only afford to pay those taxes if we have an efficient, productive economy which produces the wealth to support that system.

This is particularly true in our country, for our population is ageing and fewer and fewer taxpayers will be left to support the system. We must be able to compete in a world market and we cannot do that with a market of 26 million people. If we gain access, as we will through this free trade agreement, we will have an additional 300 million people to sell to: the wealthiest market in the free world.

Mainly for these three reasons—to help fight the protectionist sentiments of the US Congress, to allow us to enjoy existing markets in the United States and to look to new markets there, and to give us the kind of vibrant 21st-century economy we need to support our social system—I support this agreement and that is why I am going to vote against this government resolution.

As I said at the outset, we would have liked an agreement which was stronger in certain areas



but we still believe this is a good deal for both Canada and Ontario. As a matter of fact, we also believe it is a good deal for the United States. There is nothing to be ashamed of there.

Where do we in Ontario go from here in dealing with the free trade question? This government's tactics are confused and in retreat. This Premier has lost the fight and continues to show he is a sore loser, as does the federal Liberal leader and the federal New Democratic Party leader.

I might add that our Prime Minister probably should be thanking all three of these political leaders for his recent gains in the polls, because it seems that the harder the Premier fights this particular agreement, the harder Ed Broadbent fights this agreement and the harder John Turner fights this agreement, the more our Prime Minister wins with the people of Canada.

Canadians and Ontarians have now realized that our Prime Minister was right and that he has persisted in showing leadership in spite of substantial opposition. In a political sense, I can only hope that the provincial Liberals and the Premier prolong the debate on free trade, but in another sense I hope they will come to their senses and look at this agreement in a practical sense.

#### 1640

As a constitutional expert told the standing committee on finance and economic affairs last month, the fight is over. The United States and other countries have every right to believe that what was signed by our federal government is a good and binding treaty. Then of what use is this present resolution of general condemnation of the free trade agreement, and of what use is it to ask the standing committee on finance and economic affairs to rehash all the old arguments, when the deal is done?

Our party sees another opportunity in the process. Why do we not turn to the process of implementing this agreement? Let us start to plan for those workers who are going to need help in readjusting. Let us assist communities which may be affected by this agreement. Most of all, let us help our industries and our people take advantage of the tremendous opportunities that are presented to us on a plate by this agreement. This agreement can provide us with a higher standard of living in Ontario and Canada in the future if we tackle it as a challenge and meet it with optimism.

That is where this party has been and continues to be. We are proud of it. We are optimistic about our future here in Ontario. We believe that our

people can meet the challenge and become more competitive and we believe this agreement offers our people that opportunity. Both of the other parties have criticized free trade over the past year without offering a real alternative to the facts and the history that are present at our time. The truth is that there is no alternative but to reach some kind of trading agreement with the United States.

I respect the New Democratic Party's opposition because it is based on philosophy, but unfortunately our conclusion is that the Liberal Party's opposition was motivated by political considerations which led to a substantial majority on September 10. We only hope that the Liberals will now see the error of their way, that they will take the free trade agreement as a challenge and that they will now consider the interests of Ontarians and Canadians in that light.

**Mr. Laughren:** I am indeed pleased to be concluding this debate on behalf of the New Democrats. I consider this to have been a historic debate and, believe it or not, I have enjoyed it. I think there have been some very good speeches, some very strange speeches and some even stranger interjections. I will not comment on those, though. I would like to let historians, who have a talent for dealing with the sublime and the ridiculous, try to weave together the speeches and interjections and see what they can come up with, because they will surely provide them with some comment on this amazing chamber.

I hope, as well, that historians will not overlook the delicious irony of the Liberals opposing free trade and the Tories in Ontario supporting free trade. I am not a historian but I have read enough of it to remember Sir John A. Macdonald and his National Policy, which clearly set up tariffs in order to protect Canadian industry and supply goods to the Canadian market.

Mind you, in those days they did not believe in exporting very much. They simply wanted to cater to the Canadian market and I do not agree with that. But at least in those days they had a vision. They had an economic or industrial strategy and that was to supply the Canadian domestic market with Canadian-produced goods. At least it was a vision and a strategy. When I look 100 years later, I see the Liberal Party opposing free trade, although I think everyone remembers, and it has been recalled by a number of members in speeches, the election in 1911.

**Mr. R. F. Johnston:** Reciprocity.



**Mr. Laughren:** Reciprocity, another code word for free trade, in which Laurier got his butt kicked, as the member for Nipissing (Mr. Harris) would say.

We have witnessed a very strange turn of events in that regard, almost as strange as the event that is going to take place later this afternoon at about six o'clock. I think that since all of Ontario will be viewing the event on the legislative channel, there should be an explanation as they watch the spectacle of New Democrats, who are opposed to free trade, standing with the Tories, who support free trade, to vote against a Liberal motion condemning free trade. This is going to be something to behold and I think viewers are entitled to an explanation.

I will begin with a reminder of what the government resolution is. It has been some time since we dealt with it. This is the resolution put by the government. I am glad there are so many Liberal members here this afternoon because I think they would agree, following some of their speeches, that the amendment we put was absolutely necessary in order to reinforce the very speeches they made.

This is the resolution put by the government:

"That in the opinion of the Legislative Assembly of the province of Ontario the proposed trade agreement between Canada and the United States fails to address Canada's needs and goals, while making significant concessions which could prove costly to Canadians. Specifically:

"The proposed agreement fails to secure access to the US market for Canadian goods and services and provides no assurance of fairer treatment for Canadian exporters. It provides Canadians with virtually no relief from the US trade laws and regulations that are being used to harass them.

"Under the proposed agreement, Canadian exporters could still be penalized in the United States as a result of Canadian policies and programs to promote industrial development, reduce regional disparities and manage our natural resources.

"This agreement would relinquish our ability to pursue an independent energy policy in order to ensure security of supply or enhance regional development.

"This agreement would significantly reduce our ability to ensure that Canadians benefit from US investment and proposed takeovers of Canadian-owned firms.

"This agreement would undercut safeguards which have ensured the existence of a dynamic

Canadian auto industry and reduce Canada's ability to attract offshore auto industry investment.

"This agreement would eliminate tariffs simultaneously in both countries, despite the fact that Canadian tariffs start at a higher level.

"This agreement would threaten the existence of significant sectors of the agriculture and food processing industries.

"This agreement would require the federal government to take 'all necessary measures' to implement its provisions, including infringement on the provincial capacity to respond to the needs of Ontario citizens.

"Under this agreement Canada would give up far more than it gained.

"For these reasons, the Legislative Assembly of the province of Ontario opposes this agreement as detrimental to Canada's sovereignty and economic interests, and will not be bound to implement those aspects which fall under provincial jurisdiction. We urge the Parliament of Canada to reject the agreement."

That is the motion put by the government. When you read that, there is no question that the government is opposed to the free trade agreement. I do not think anybody has any illusions about that. But we have moved an amendment because we know from the experience of the last two and a half years that one has to read very, very carefully everything that the Premier says. Everything he stands for dealing with free trade has to be examined under a microscope because he will find a way of getting out from commitments he has made. That is why we, as a party, moved an amendment. I will not read the entire thing but some of the things we are calling for the government to do, as an amendment to the motion or the resolution I just read.

We are calling "on the government of Ontario to take the following immediate steps: a constitutional challenge to the agreement in the Supreme Court because of this agreement's infringement on provincial jurisdiction; a message to the administration and Congress of the United States expressing our opposition to the free trade agreement; an unequivocal commitment not to legislate, regulate or co-operate in any way to implement the agreement in any area of provincial jurisdiction, whether directly or indirectly; a commitment to take such other political and economic measures within Ontario's powers, which would have the effect of blocking this agreement and a message to the Parliament of Canada urging rejection of this agreement."



1650

That is the amendment that will be voted on this afternoon. I would simply ask those government members who spoke, some of them extremely well—and it was obvious that they spoke from where they felt; they really felt seriously about this matter and they made some very good speeches—if they really feel as seriously about it as their speeches seemed to indicate. Then I would urge them to think about this amendment, because it does not allow the government simply to say, “We are against it”; it requires the government to take some specific action to prove it is against this free trade agreement. That is what it does. Surely, that is not asking too much.

When I look at the chronology of the Premier during the last couple of years, it is truly startling. Members recall at the beginning he said: “Let’s let the free trade negotiations go on, because after all, we do not know, maybe we will benefit from them. We do not want to prejudge.” So he allowed that to happen.

Then, as time went by, when we were pressing him here in the Legislature last spring, he said: “Don’t you worry. I will veto it. Ontario will veto the agreement if there is any problem. If it is not in our best interests, we will veto it.”

Time went on a little further and the election campaign came around and he said: “Don’t you worry. There are six conditions that we will apply to this agreement and unless these six conditions are met we will not support this agreement.” Of course, he had already told us he had veto power.

These are the six conditions: no deal without a dispute settlement mechanism; no deal unless we can support regional development; no deal if it hurts farmers; no deal if we cannot screen foreign investment; no deal if it threatens our cultural identity; no deal if it guts the auto pact.

That is what the Premier said during the summer. After the summer, we came back here after the election and he said: “Don’t be hasty now. Don’t do anything precipitate. After all, we haven’t seen the agreement.” Then the tentative agreement came out and he said: “Don’t worry. It is not what we want, but we have not seen the final agreement yet. Don’t worry about that.” So we got the final agreement and the Premier said: “Wait a minute now, you are being a little hasty. After all, we don’t want to challenge it, because we have not seen any implementation legislation yet. So don’t worry.”

The next step of his reassurance was: “Wait a minute. I am going to have the Attorney

General”—talk about reassuring—“do a constitutional audit regarding provincial jurisdiction.” It just seems as though, every month that goes by, he puts another obstacle in front of doing anything. So far, he has done nothing.

We feel it is time the government was given some backbone. We think the amendment to the government resolution gives the government that kind of backbone, gives it some kind of action that it can take.

I think most government members would agree when they look at the resolution that it does not require them or any minister or the Premier to do anything; absolutely nothing. They can pack up their books tonight or tomorrow night, go home and forget about free trade, because it will be entirely in the hands of Prime Minister Mulroney. This government will not have to do a single thing, because this resolution does not call upon it to do anything; no action.

Interjection.

**Mr. Laughren:** I am sorry, I cannot believe the member.

**Mr. D. S. Cooke:** It hasn’t happened yet, Gordon.

**Mr. Laughren:** Our resolution calls on the government to launch a constitutional challenge. It calls on the government to say to Washington and to Ottawa that Ontario is opposed to this agreement and we will not implement enabling legislation. That is what it says.

I ask the members to think about the two resolutions, because that is what we are voting on later on this afternoon. If the government is really opposed to free trade, not just rhetorically but really opposed to it, what is offensive about our amendment? Why would members find fault with it? It does not urge any form of civil disobedience by anyone. It does not even show any disrespect to Ottawa or Washington. It does not ask Ontario to step beyond its jurisdictional powers; not a bit. It does not in any way ask this government to go beyond what the Premier has said at one point or another in the last two and a half years, and our resolution is not offensive in its rhetoric and it is not unrealistic in its expectations or its demands.

If that is the amendment and they really believe what they say in the speeches they have made, and if they really believe what the Premier says in the speeches he has made in the last couple of years, I cannot think of a single reason why they would be voting against our amendment to their resolution. I cannot think of a single reason, but they may have their reasons.

Our resolution simply requires the government to reinforce its rhetoric with some action.

I listened to a lot of the speeches made in this debate and I really meant it when I said I thought there had been some good speeches. I wish I could have heard even more of them. I hope those people who made the speeches meant it and will really think about voting for the amendment. I do not want to spend a lot of time on the evils of the free trade agreement, because that has been done by a lot of members, but there are some things that I do think have to be said about this agreement.

First of all, it is not simply about trade. It is truly a comprehensive agreement that deals with a lot more than trade. That is why, when we talk about sovereignty, when we talk about cultural industries, when we talk about regional development, those are not goods or services that are traded across a border. Those reflect our way of life and the way in which we have determined we want to run this country. That is why we are so concerned about it.

If it is simply a case of lowering tariffs, if it is simply a case of having a whole series of auto pacts, which is more managed trade than free trade, we could have a civilized debate on it. But that is not what this free trade is about. If this was setting up a series of sectors in which to lower tariffs between Canada and the United States, we really could have an enlightened debate. I think some good things would come from it. We would support that kind of a debate. As a matter of fact, we should have one in Ontario.

But this kind of comprehensive agreement goes way beyond the trade of goods and services between Canada and the United States. That bothers us a great deal and I think most members have read statements from south of the border where representatives down there talk quite clearly about how they see economic union between Canada and the United States.

The question of regional disparities should bother every member who does not live in the Golden Horseshoe. Those people who live in eastern Ontario, northern Ontario, I suppose southwestern Ontario as well, should think about what it means.

**Mr. R. F. Johnston:** And rural Ontario.

**Mr. Laughren:** Rural Ontario. Whenever the government decides it wants to have a regional development policy to bring other parts of the province into the economic mainstream, it could be challenged by the United States.

The stumpage fees issue which led to the imposition of the tax on softwood lumber could

have been regarded by us as a regional development policy. I happen to have regarded the stumpage fees as being too low, quite frankly. But that is not the issue. The issue is that we at least should have the right to set those stumpage fees too low, if we want to, for regional development purposes.

When we get into this free trade agreement, every time we try and do something to remove regional disparities, we are going to be in trouble. Surely to goodness members from outside Toronto should be worried about that.

Canada, despite the reassurances from the members of the Conservative caucus, failed to secure its main objective of the whole concept and that was secure access to the United States market and exemption from US trade law, particularly countervail and the antidumping provisions. We did not get that, so why are they so excited about what we did get? The dispute settlement process provides almost nothing that is not there already.

**1700**

On social programs, New Democrats feel very strongly that the social safety net and the programs which exist in Canada are quite foreign to the American way of life and we feel very, very strongly that they must be protected. I hope all members realize that social programs can clearly be seen as a subsidy and challenged. There have been all sorts of statements in that regard as well, that unemployment insurance to fishermen on the east coast, unemployment insurance benefits anywhere, and medicare premiums paid for, can be challenged as subsidies.

Earlier this afternoon we tried to raise in the Legislature, with the Premier and other ministers, a number of areas where we feel action must be taken in order to protect our jurisdiction. We received virtually no assurances from the Premier that he was prepared to do anything about it.

On matters of provincial jurisdiction, we are worried that because the free trade agreement will demand that the federal government bring provinces into the ambit of the free trade agreement as well, this will in effect have a major bearing on provincial jurisdiction. As a matter of fact, article 103 states that the federal government must ensure provincial compliance with the deal. That in itself seems to me to be an encroachment on provincial jurisdiction. That is simply not appropriate.

There are a number of things that bother us about the free trade agreement. Part of it, we feel, has to do with sovereignty and part of it has to do



with the way of life of Canadian and Ontario citizens, but also there is the whole question of an economy like Canada's trying to make a free trade arrangement with an economy like the United States.

I do not believe that we are better or worse Canadians than those who support the free trade agreement. We do not look any more fashionable draped in the Canadian flag than does any other group of Canadians. I do not think I look better in a flag than the member for Carleton does, but there is a fundamental difference in the way in which we believe we can best serve Canada and Ontario.

I do not believe it is unfair to compare the vision we have of our country and our province with what I think is the vision the Conservative Party has for Ontario and Canada. As a matter of fact, I thought the member for Nipissing put it very articulately this afternoon in terms of the vision of the Tory party.

The Conservative vision—I am sure he will correct me if I am wrong—is one that relies upon the marketplace to set priorities, to allocate resources and to determine industrial winners and losers. That discipline of the marketplace has a certain what I would call primeval appeal, which is perhaps why it is called Rambo economics. It really is a survival-of-the-fittest ideology. It is a very strong ideology. It is a clear ideological view of the world and I give the Conservative Party credit for being consistent with what that party is supposed to be all about; namely, adherence to the marketplace as the major decision-maker.

New Democrats have a vision that is more interventionist, that believes people who are elected to do so should allocate resources and at least partly determine which industrial sectors are important to us as a sovereign nation and consequently need support and protection if necessary. This view of our country requires policies and commitments that minimize regional disparities, that fight for Canadian control of key industrial sectors and that encourage and promote a unique Canadian cultural identity. Free trade is truly a Conservative vision of how our country should function, and for that I give them full marks for their consistency.

I believe the Royal Commission on Economic Union and Development Prospects for Canada—the Macdonald commission, as it is known—provided the most singularly important observation in this entire debate. I will paraphrase it. What they said was that unless this country launches a proposal for free trade, there would be

in the years to come increasing demands for a planned economy. As soon as the federal Conservatives saw that warning, it was like a red flag being raised. They immediately launched the program for free trade between Canada and the United States.

I really and truly believe that comment contains the kernel of truth behind the entire debate. It is little wonder that the Tories embraced enthusiastically the free trade concept while Liberals agonized in what I would call the throes of ideological schizophrenia. I am glad the member for Etobicoke-Humber is here to correct me if that is the wrong way to use that expression.

The New Democrats, along with a lot of other people, immediately launched a country-wide campaign in opposition to the entire free trade agreement.

We oppose this free trade agreement and we oppose this Mickey Mouse resolution that has been proposed by the government. We challenge the government to support our amendment and honour its very specific instructions. We challenge the government to initiate policies that clearly challenge the free trade agreement in areas of provincial jurisdiction.

What we tried to do this afternoon in question period was to say to the Premier and to other ministers: "Before this year is up, bring in legislation that lays out areas that should be in provincial jurisdiction. Introduce legislation that makes that clear. For example, bring in a bill that allows for the pricing of hydro in northern Ontario to stimulate regional development in the north. Make it a piece of legislation. Bring in legislation that controls day care. Bring in legislation that controls nursing homes, so that we retain control and have sectors that are models we are proud of, that come from us." I can tell members that the response by the Premier was negligible this afternoon.

I come from a community where for 50 years, Falconbridge has been shipping its minerals to Norway for processing, mainly because of the exemption that the government gives it to do that. The Mining Act says they should not do it and the cabinet gives them an exemption.

What we are saying to the Premier is: "End that exemption. Make it a challenge to the free trade agreement. Do it in several areas. Stake out your legislative independence and say, 'We are going to introduce this legislation, we are going to make it the law of Ontario, because we believe this is provincial jurisdiction.' And make sure this happens in 1988, because 1988 is when the free trade agreement is implemented."



I do hope that the Premier will take this seriously, because what that would mean is that we would have the legislation this year. If people want to challenge our right to have that legislation, whether it be the United States of America or whether it be the federal government, let them come to us with the challenge. It should not be the other way around. We cannot even convince the Attorney General (Mr. Scott) that there should be a challenge from Ontario on the free trade agreement. If he is so squeamish about challenging the federal government on that, then why not bring in legislation that is ours and let the federal government challenge us on our jurisdictional right to do that. That is what should be done.

We challenge the government to begin the process of removing regional disparities in Ontario, to begin building a social network second to none anywhere, to have an informed debate within Ontario on our own economic development prospects, and to put behind us once and for all our sorry history of neglect of those people and regions that are least able to fend for themselves.

I urge members of the assembly to reject the government resolution and to support the amendment put forth by New Democrats.

1710

**Hon. Mr. Kwinter:** I am pleased, on behalf of the government, to wind up this very historic debate and to put into the record some of our concerns and some of our aspirations regarding the economic life of the province. Through the resolution in this House, the Legislature of Ontario is making it known to the people of the province and the people of Canada that it will not support a free trade deal which fails to meet certain conditions necessary to maintain economic and social stability and protect Canada's national sovereignty.

The free trade agreement, like the elements of the agreement initialled earlier, fails to satisfy the concerns that the government of Ontario has expressed on these matters and raises additional concerns. The government of Ontario has been forced to come to the conclusion that the free trade agreement that Canada has negotiated with the United States is not in the best interests of Canada. This conclusion, and the decision to condemn the free trade agreement through a resolution in this House, was one that this government has taken only after intense and serious consultation and analysis.

I think it is important that members of this House know that Ontario initially supported the

free trade negotiations in principle at the first ministers' conference in Halifax in November 1985. The Premier took this position because Ontario favours efforts to reduce barriers to trade and to expand trade opportunities whenever this is possible. I think members should also be aware that trade with the United States is absolutely vital to the interests of the people of Ontario. Trade, as part of our gross domestic product, represents 30 per cent of what we do. For every dollar that the people of Ontario and Canada have in their pockets, 30 cents of that came as a direct result of our trade, and 90 per cent of our trade is with the United States. Ontario is the largest trading partner the United States has, and they are ours.

I think it is important to know that although trade represents 30 per cent of our gross domestic product, it represents only 10 per cent of the US gross domestic product. Of that 10 per cent, 22 per cent is trade with Canada, and the bulk of it is with Ontario. So we have everything to gain and every reason to want to support additional trade with the United States. We are not anti-American. As a matter of fact, we treasure our relationship with the United States. It is critical to the economic wellbeing of this province.

So where are we? Why are we, as a province, refusing to endorse this agreement?

Canada began these negotiations seeking to eliminate US actions against Canada which harass Canadian exports and reduce incentives to invest in Canada. The federal government assured the provinces that an agreement which did not provide assured access to US markets, including circumvention of the application of trade remedy laws while maintaining Canada's ability to promote regional development, would be unacceptable to Canada. Simon Reisman, our chief trade negotiator on behalf of the federal government, said that unless we got security of access, the agreement would not be worth the paper it was written on. That was a very, very major concession, and certainly one that we all endorse. We knew that the major thrust of this negotiation was to get security of access, and in order to get that, we were certainly prepared to give up certain things.

As the federal government's negotiating position became clear to the provinces, Ontario began to have reservations about these negotiations. Ontario's analysis indicated that tariff elimination would have serious consequences for Ontario industries without provisions which would maintain the auto pact safeguards and measures to address sensitive sectors. I think it is



important to know that on July 3 the Prime Minister of Canada wrote to the Premier of Ontario and assured him that the auto pact would not be on the table, that it would not be part of the negotiations.

Ontario was particularly concerned that whatever agreement was actually reached should preserve Canada's ability to determine social, cultural and regional development policies. Canadian politicians and officials assured the provinces, and the Canadian people, that these concerns—the integrity of the auto pact, cultural sovereignty, regional development—would be addressed in the negotiated agreements.

During the entire period of the negotiations, Ontario conducted a series of consultations with the private sector groups in order to determine the impact of the possible free trade agreement on the Ontario economy. The Ministry of Industry, Trade and Technology used these consultations to evaluate the potential strengths and weaknesses of Ontario's manufacturing and service industries and how they might respond to tariff reductions and a freer trade environment.

These consultations included a conference on free trade held by the ministry in March 1987, and it is through these consultations and the analysis conducted by the government that Ontario determined that sensitive sectors needed special consideration under any free trade agreement.

I think it is important to know that until that time there was pretty widespread consultation. Then things, as they say, began to happen. The principal forum of consultation with the provinces during the course of the negotiations was the quarterly first ministers' meetings. These were supplemented with the regular meetings of the continuing committee on trade negotiations, made up of trade representatives from each province and federal officials. Ontario was represented by the Premier's trade policy adviser, Robert Latimer. However, these mechanisms for consultations broke down in the final stages of the negotiations in October.

Both the Prime Minister and the premiers had authorized negotiations on investment limited strictly to trade-related investment measures. The provinces were informed that if energy was included in the free trade agreement, it would only be as part of the broader package. There would not be specific undertakings on energy.

The members have to understand that in September, when Mr. Reisman reported to the Prime Minister that the talks had broken down and he could no longer proceed, neither energy or

the auto pact had been on the table. At that stage, the Prime Minister sent his chief political negotiators, Michael Wilson and Pat Carney, to Washington, and they came back with a deal.

To listen to Simon Reisman, they came back with auto pact plus. I would like to paint this scenario.

Until that point, we were assured the auto pact was not on the table. To listen to Simon Reisman, when they went down to Washington, the Americans got them in a room and said: "We would like to make this deal with you but we can't, because we have the better of the auto pact deal. If you will agree to improve your position in the deal, we're prepared to deal with you; otherwise, we're not."

That is his interpretation, that he got a better deal as a result of its not being on the table and, when they insisted it be on the table, it was better for us. We, of course, do not agree.

I also think it is important to know that Ontario is not opposed to free trade. Ontario, however, is opposed to the Canada-US free trade agreement, because our major objectives were not achieved and the costs are too high. We have said from the start: "This is a bad deal. We are opposed to this deal."

What did we get? The key federal objective of obtaining secure and enhanced access to the US market has not been met by the proposed Canada-US free trade agreement. US countervailing duties and antidumping penalties can continue to be applied against Canadian exports in the same fashion as before this agreement. Moreover, the binational tribunal to appeal such duties fails to afford any net benefit beyond the current situation of appeal to US courts and the General Agreement on Tariffs and Trade.

It was interesting that during the debate, the members of the third party, particularly the leader, were trying to point out that, in effect, the dispute settlement mechanism was improved in the final text. In our opinion, it was not. If anything, what they have done is to add another layer of bureaucratic positioning, so that if you are not satisfied with the appeal panel and if you think they acted in a way that was not consistent with what they should have done, you can appeal it to another group of judges.

## 1720

The only positive thing about the appeal mechanism process was supposed to be its speed. The only thing that we could determine was better than what we had was that it might cut down the time for appeals from two years to one

year. With this new layer, it just takes it back to where it was before.

Some people have argued that the free trade agreement is the best deal it was possible to negotiate. It is ironic that the feasible deal we have achieved is one which essentially preserves the status quo in terms of key Canadian objectives: to circumvent the application of US trade laws and to gain access to the US government procurement market.

I would also like to address very briefly the often said statement that we have a situation where we can never return to the status quo and that unless we do something, we are going to be subjected to all of this protectionism from the United States.

I personally am not convinced that is the case. We are the United States' major trading partner. It is of as much interest to the United States to have us as its customers as it is for us to have them as our customers. That is something we have to take into consideration. It is to our mutual benefit to make sure that we reduce whatever frictions there are, and I reject those who feel that the border is going to close down.

I would also like to comment on what I consider to be a fallacy, in that there is a general assumption that there is an iron curtain that goes across the US-Canadian border, that there are 250 million people just sitting there waiting for us to sell things to them and that if only we can get this deal, everybody is going to prosper.

Members should understand that right now 80 per cent of all of the trade in goods and services between Canada and the United States is duty free, and those companies that are competitive and can compete are doing it now. It is also interesting to note that among all of the people who appeared before our cabinet subcommittee—those were the people who were pro this deal, every one of them—all they tried to say was: "All we want to do is keep the status quo. We don't expect to do any more business, but without this deal we may do less." It was like the parable in the Bible when they were looking for one honest man. I could not find one single person who would come forward and say to me: "Mr. Minister, if we can sign this deal, we are prepared to build a factory today. We are prepared to hire new employees today. We will do all of those things if only we can get this agreement."

Every one of them said to me, those who were in favour, "No, we don't expect to do any more business, but without this deal we may do less." I am saying that is a serious consideration; without

question, that is a serious consideration. But I think that in order to maintain the status quo, which is basically what we are talking about, we have paid a price that is far, far too high.

Because the dispute settlement mechanism will come into effect only in the final stage of the proceeding, Canadian exporters can still face a lengthy period of harassment through the administrative process. I think it is important to know that in all of the times that people made representations to me about the dispute settlement mechanism, nobody complained about the appeal process; they were not concerned about that. What they were concerned about was the administrative process whereby the US Department of Commerce and the International Trade Commission were harassing the exporters into the United States.

In the past year the United States launched over 600 actions under its trade remedy laws, Canada launched 30, the European Community launched five and Japan launched one. Now, when you look at those figures, it is obvious to anyone that trade remedy law is a part of US import-export control policy. The mere fact that an action is launched against a relatively small Canadian company is enough of a deterrent to keep it out of that market; it does not have the resources or the time, and that in itself is a way of keeping it out. That is what we are trying to address. The dispute settlement does not address that at all. I know that members can trot out their particular champion in the legal profession to say whether it is a good or a bad deal. Our particular champion said that, in their opinion, we have gained nothing in the way of dispute settlement, and that, of course, was one of the key things we were trying to gain.

When we talk about the omnibus trade bill that is wending its way through the US Congress, that in itself is going to be a very serious implication on Canada-US relations. When Ambassador Clayton Yeutter was in Toronto a few months ago, addressing the joint meeting of the Canadian Club and the Empire Club, he was asked specifically: "If the omnibus trade bill is passed, will it affect Canada, or will Canada be exempt?" He did not hesitate in the slightest. He said, "Canada will not be exempt and it will affect Canada."

Now, that is a very, very serious situation. Surely members should know, because certainly the members of the third party—in particular, the leader—keep making a great point about the fact that the vote is seven to three in favour and why



do we not get on side with the majority? I would like to address that question in a minute.

However, when we are talking about that seven majority, many of them are qualified. They are saying: "Yes, we will support it, provided we are not subject to the omnibus trade bill. Yes, we will support it, provided we can continue with our regional development programs." That is something that I do not think the Canadian government can deliver. Some of those leaders are taking solace in the fact that they have a letter from the Prime Minister stating, "You have my assurance that these things will be done." I can tell members that on July 3, Prime Minister Mulroney sent the Premier a letter assuring him that the auto pact would not be on the table, and members saw what happened there.

I do not want to direct this just at the leader of the third party, but I have some things I want to read into the record, to set the stage. I felt, and I did not want to interrupt him in his speech, that what he was saying was an absolute repudiation of his position in this House. Surely he does not expect us to say, "Because we have 94 members on this side, everything we do is right, and because he has only 16 members on his side, everything he does is wrong." What he is saying is: "If seven Premiers are in favour and three are opposed, surely you are in the wrong and the majority is in the right. Why do you not get on side?" If that is true, I would invite those 16 members to come and sit on this side of the House.

**Mr. Jackson:** You've got enough problems in caucus without us. You've got enough trouble.

**Hon. Mr. Kwinter:** I am prepared to invite those 19 as well.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Kwinter:** While I am commenting on the leader of the third party, I would be remiss if I did not put into the record some comments from the member for Sarnia (Mr. Brandt) dealing with free trade.

I am sure most members have seen the article by David Crane in the Toronto Star today. The headline is, "The Sound of Tories Flip-Flopping on Free Trade." What it says, and I hope members will bear with me—

Oh, the member in question has arrived, and I welcome him.

I hope members will bear with me as I read this into the record, but I really feel that I would be remiss if I let it go by without some official

chronicling of it in the proceedings of this Legislature.

1730

**Mr. Brandt:** It was a good speech.

**Hon. Mr. Kwinter:** It is still a good speech.

It says, "Take Andy Brandt, the personable leader of the Ontario Progressive Conservatives, who is now busy trumpeting the cause of Canada-US free trade.

"This is the same Andy Brandt who just over two years ago as Minister of Industry and Trade in the former Tory government campaigned against Canada-US free trade."

**Mr. Ferraro:** Surely not; say it isn't so.

**Hon. Mr. Bradley:** A different Andy Brandt.

Interjections.

**Hon. Mr. Kwinter:** If I can have the forbearance of the members, I would like to read to them what he said.

"Taking the multilateral route in trade negotiations is the best long-term way for Canada and for Ontario to gain an improved share of world trade,' Brandt argued as an Ontario cabinet minister. 'For instance, Canada would likely have to pay a lot less for a rollback in US protectionism if more countries were at the negotiating table and, therefore, more trade concessions on the table.'

"Brandt worried that bilateral free trade could be highly damaging for Ontario. 'We could be overwhelmed in high technology areas which would inhibit our overall ability to compete.... Already, we import heavily from the US in the medium to high technology sectors.'

"At the same time, US-owned multinationals might close down facilities in Ontario. 'There could well be a greater incentive for a typical American company to supply our market by increasing its US output by as little as 10 per cent.' Brandt said. 'That could mean a considerable loss of jobs at the Canadian-based subsidiary.'"

If I could just depart from the text for a moment and tell members—

**Mr. Brandt:** I wish you would.

**Hon. Mr. Kwinter:** I am coming back to it.

At a recent meeting with the president of a worldwide food conglomerate that has a very major presence in Canada, he stated to us that in his opinion if this free trade agreement goes through, any food product that has a shelf life of three weeks or more would no longer be produced in Canada. He uses as an example—I am glad to see that the leader of the third party two years ago had the foresight to anticipate what

he was going to say—that the Oreo cookie machine in Chicago just has to run for an extra 15 minutes a week to supply all of the Oreo cookies in Canada, and he felt—

**Mr. Brandt:** Is this the end of cornflakes?

**Hon. Mr. Kwinter:** Cornflakes are down the tube; the member is right.

Let us get back to the chronicle of the member for Sarnia.

“Brandt worried as well about how much progress Canada could make in dismantling US nontariff barriers. For example, Ontario wanted the US to drop its buy America requirement in urban transit.” Of course, they didn’t.

“‘But if it and other nontariff barriers are negotiable at all,’ Brandt warned, ‘the cost may be very high.’”

That, of course, has happened every time we wanted to deal with things that we had been promised. Much has been made of the Premier’s sort of change in position about being able to veto. We were told at one time that he could make the veto.

Another thing has been that when the deal was originally put to us, we were told we were going to have access to US defence procurement, a very, very, major, major benefit to producers in Canada. That, of course, was taken off the table.

We had an arrangement dealing with maritime provisions. When the going got tough, that was taken off the table. That is the sort of problem we have to deal with.

I want to continue with the member for Sarnia’s statement.

“For example, he said, ‘I’m talking about US pressures for policy harmonization in the name of a level playing field. That could be in areas such as labour, taxation, the regulatory environment and industrial assistance. Are we prepared to have less room to address uniquely Canadian and provincial needs in these sensitive areas?’

“In addition, he asked, ‘Would they want other concessions—for instance’—again, I have to compliment the former minister on his clairvoyance—“in industrial or energy policy...?”

**Mr. B. Rae:** I just want to know who his speechwriter was. I’ve got the answer. It’s the same speechwriter, Monte. He just wrote the speech last night.

**Hon. Mr. Kwinter:** That is right, the same guy.

**Mr. B. Rae:** Am I wrong or is he still there?

**Hon. Mr. Kwinter:** Unfortunately, later on in the article they refer to Hughie Segal, who, I

think, was the writer. I can assure members that Hugh Segal is not writing my material.

**Mr. Brandt:** On a point of order, Mr. Speaker: The minister is impugning the motives of a member of this House, namely myself, in indicating that I had little or no input into the actual writing of the particular speech he is quoting from extensively. I would like the minister to know that I do not remember that speech.

**Mr. Speaker:** Under which standing order is your point of order?

**Mr. Brandt:** Standing order 17(b). I stand corrected if it is not. I would just like to advise the honourable minister that I stand by everything I said in the speech that I did write. I would like him to carry on because any time he wants to quote me, I am delighted.

**Hon. Mr. Kwinter:** The article is quite extensive. I just want to quote one more line and then refer to a couple of other things. In it, he says that “these discussions...may seriously threaten our independence and sovereignty in the not-too-distant future,” and, “These hinge on the very stuff of our national survival and independence.”

I have an apology, actually. That may have been the same person who was writing, but it was Hugh Segal who said that.

The interesting thing is that the article concludes by saying: “Brandt and Segal are not alone in making these policy flip-flops. Mulroney, as well as cabinet ministers Joe Clark, Michael Wilson and David Crombie, all spoke against a deal while in opposition.”

I am sure everyone knows that when the now Prime Minister was running for the leadership of the federal Conservative Party, he came out unequivocally saying that there would never be a free trade deal and he was opposed to it.

**Mr. Reville:** Was that his bottom line?

**Hon. Mr. Kwinter:** That was his bottom line.

Of particular importance to Ontario is the fate of the automotive industry, which directly or indirectly employs one in every five Ontarians. The free trade agreement in essence guts the auto pact. Again, those who are supporting the deal say it is auto pact plus. All I have to say is that the mere fact that the CAMI plant in Ingersoll, the Suzuki-General Motors plant, had to be godfathered by—

**An hon. member:** Grandfathered.

**Hon. Mr. Kwinter:** Grandfathered. I can tell members there had to be a godfather playing in that scenario to get that saved, because in



conversations I had with the industry, it said the CAMI plant was gone. It was only after, I am sure, some severe arm-twisting by local MPs to say, "If that plant goes, we go, and you had better do something about it," that it was grandfathered. But by implication the very fact that it was grandfathered sends a signal that a similar arrangement will not be tolerated. That in itself is a very serious concern.

We also have the only truly Canadian part of the auto industry, which is the Automotive Parts Manufacturers' Association of Canada. I am sure all members will know that we are really a host province when it comes to the auto industry. We do not have an indigenous auto that is truly Ontarian or Canadian. All we have are the Big Three and the foreign automakers. They are here and we are at their mercy, because if they decide to pull out, which they do from time to time, we have a problem.

But where we do have an industry that is very viable and one that does extremely well is in auto parts manufacturing. They are the ones who produce here; they service these assembly plants and they are very concerned.

1740

True again, we get to the numbers game. The association originally came out and said yes, it was in favour of the auto pact. But the two largest members, Magna International and Woodbridge Foam, were opposed. These people really have credibility, and the reason they have that credibility is they are protected. They have plants in the United States, they have plants in Canada and they say, "It's not going to make any difference to us because whatever happens we have that flexibility to go one way or the other." Having said that, they said: "We are opposed to it. If this deal goes through, we will shift our major emphasis to the United States because it makes no sense for us to be here."

So we have a very serious impact on the auto industry. Already I have heard from representatives in Tokyo that the Japanese auto makers are looking very seriously at this. I am hoping that we can resolve the problems, but it certainly has set up a concern. Without question, and we have heard it mentioned—certainly by several speakers on the third party side in particular—that the auto industry, the Big Three, is delighted, and why not? At one time, they were the auto industry in the world; the automobile was synonymous with the the US economy. Now they are under severe pressure, where in North America, I think, 51 per cent of the market is foreign.

It is a good deal, it is a great deal, for the Big Three. If I were an American, I would cheer that this has been done. But in Ontario, which is the heart of the auto industry in Canada, we are very lucky and our economy has benefited from the fact that we have Honda and we have Toyota and we have the Suzuki-General Motors plant being built in Ingersoll. Notwithstanding that, we welcome and we enjoy the benefits of having GM in Oshawa, Ford in Oakville, Chrysler in Windsor and Chrysler-American Motors in Brampton. All of these things are great for our economy, but it is also important and critical that we maintain these third-country manufacturers, and this deal is going to severely impact on that relationship. We think that in fact with the removal of the tariff which we use as a stick to compel compliance with the safeguards we have some serious problems on the horizon.

The last thing I want to talk about is that the free trade agreement also contains provisions constraining the manner in which governments regulate domestic service industries in the future. Canadian governments will be able to regulate in a fashion that differentiates between domestic and US providers of a service so long as any differentiation is no greater than necessary for consumer protection, prudential, fiduciary or health and safety reasons and is equivalent in effect.

What that does again is set up a whole range of concerns. Does that mean that we will be subject to all sorts of potential trade retaliation because of programs that we have in effect, that the people of Ontario and the people of Canada have begun and have accepted as part of our way of life?

Again, without knocking the United States—and I can tell members that we treasure our relationship with the United States—all you have to do is go down into the United States and see some of the programs that the government is providing there, compared to what is provided here; and we are in fact the envy of many because of that. If that is going to be on the table—and I am not saying that we are going to have reduce ours to match theirs—it will mean that it could be a factor that is going to impinge negatively on the people of Ontario and the people of Canada and it is something that we certainly have to concern ourselves with.

Then of course we get into this other area that is still very tentative, because we have not come to a complete determination, but that deals with provincial powers and whether or not powers can be affected with or without provincial consent.

The federal government has ignored the principles of Canadian federalism by attempting to bargain away provincial powers. This unilateral federal initiative violates a basic and established constitutional norm: one level of government does not have the power to reduce or limit the jurisdiction of the other.

Analysis by the government of Ontario indicates that the proposed trade agreement deals very substantially with matters falling under provincial jurisdiction. If signed and implemented, it will represent a dramatic impairment of provincial powers. This should be a matter of profound concern for all Canadians who look to the provinces for social and economic initiatives.

This, as I said at the beginning of my remarks, has been a historic debate. It is one that certainly will not end with today's debate. It will continue for some time, and as more and more people get a chance to really understand the ramifications of what this deal is, I think we are going to see some very dramatic changes of opinion.

In closing, if there is one thing that has become obvious to me in my discussions, in our committees, in travels around the province, it is that this debate is being argued at two levels, and even in this House that has happened. On one level, people are arguing the economic concept of free trade; they are saying: "Don't confuse me with the facts. Free trade has got to be a good thing. Surely you cannot object to free trade."

That is not the issue. As I said earlier in my remarks, we have no problem with the economic concept of free trade. What we are talking about is this deal. This is a deal where we have given up far too much for what we are going to get. We have given up things and we do not even know what the ramifications are. As time progresses, I think the position of this government will be accepted by more and more people, and members will find that we have acted responsibly and with a sense of looking after the economic destiny of this province and this country.

I urge all members of the House to support the resolution, and I want to thank them for participating in the debate.

**Mr. Speaker:** On Tuesday, December 15, 1987, Mr. Kwinter moved government notice of motion 8. At the same sitting of the Legislature, Mr. B. Rae moved an amendment to that motion, the question to be decided by the House.

**1750**

The House divided on Mr. B. Rae's amendment, which was negatived on the following vote:

### Ayes

Allen, Breaugh, Charlton, Cooke, D. S., Farnan, Grier, Hampton, Johnston, R. F., Laughren, Mackenzie, Morin-Strom, Philip, E., Rae, B., Reville, Wildman.

### Nays

Adams, Ballinger, Beer, Bradley, Brandt, Brown, Callahan, Campbell, Caplan, Carrothers, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Cousens, Curling, Daigeler, Dietsch, Eakins, Elston, Epp, Eves, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Furlong, Grandmaître, Haggerty, Harris, Hart, Henderson, Hošek, Jackson, Johnson, J. M., Kanter, Kerrio, Keyes, Kozyra, Kwinter, LeBourdais, Lipsett, Lupusella;

MacDonald, Mahoney, Matrundola, McClelland, McGuigan, McGuinty, McLean, McLeod, Miclash, Miller, Morin, Munro, Neumann, Nixon, J. B., Nixon, R. F., Offer, O'Neil, H., O'Neill, Y., Patten, Pelissero, Peterson, Phillips, G., Pollock, Polsinelli, Pope, Ramsay, Ray, M. C., Reycraft, Riddell, Roberts, Scott, Smith, D. W., Smith, E. J., Sola, South, Sterling, Stoner, Sullivan, Sweeney, Tatham, Velshi, Villeneuve, Ward, Wilson, Wrye.

Ayes 15, nays 90.

**1756**

The House divided on Hon. Mr. Kwinter's motion, which was agreed to on the following vote:

### Ayes

Adams, Ballinger, Beer, Bradley, Brown, Callahan, Campbell, Caplan, Carrothers, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Curling, Daigeler, Dietsch, Eakins, Elston, Epp, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Furlong, Grandmaître, Haggerty, Hart, Henderson, Hošek, Kanter, Kerrio, Keyes, Kozyra, Kwinter, LeBourdais, Lipsett, Lupusella;

MacDonald, Mahoney, Matrundola, McClelland, McGuigan, McGuinty, McLeod, Miclash, Miller, Morin, Munro, Neumann, Nixon, J. B., Nixon, R. F., Offer, O'Neil, H., O'Neill, Y., Patten, Pelissero, Peterson, Phillips, G., Polsinelli, Ramsay, Ray, M. C., Reycraft, Riddell, Roberts, Scott, Smith, D. W., Smith, E. J., Sola, South, Stoner, Sullivan, Sweeney, Tatham, Velshi, Ward, Wilson, Wrye.

### Nays

Allen, Brandt, Breaugh, Charlton, Cooke, D. S., Cousens, Eves, Farnan, Grier, Hampton,



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Harris, Jackson, Johnson, J. M., Johnston,  
R. F., Laughren, Mackenzie, McLean, Morin-  
Strom, Philip, E., Pollock, Pope, Rae, B.,  
Reville, Sterling, Villeneuve, Wildman.

Ayes 79; nays 26.

The House adjourned at 6 p.m.

**ALPHABETICAL LIST OF MEMBERS\***  
(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

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- |   |  |
|---|--|
| <p>Adams, Peter (Peterborough L)<br/>           Allen, Richard (Hamilton West NDP)<br/>           Ballinger, William G. (Durham-York L)<br/>           Beer, Charles (York North L)<br/>           Black, Kenneth H. (Muskoka-Georgian Bay L)<br/>           Bossy, Maurice L. (Chatham-Kent L)<br/> <b>Bradley, Hon. James J.</b>, Minister of the Environment (St. Catharines L)<br/>           Brandt, Andrew S. (Sarnia PC)<br/>           Breaugh, Michael J. (Oshawa NDP)<br/>           Brown, Michael A. (Algoma-Manitoulin L)<br/>           Bryden, Marion (Beaches-Woodbine NDP)<br/>           Callahan, Robert V. (Brampton South L)<br/>           Campbell, Sterling (Sudbury L)<br/> <b>Caplan, Hon. Elinor</b>, Minister of Health (Oriole L)<br/>           Carrothers, Douglas A. (Oakville South L)<br/>           Charlton, Brian A. (Hamilton Mountain NDP)<br/>           Chiarelli, Robert (Ottawa West L)<br/>           Cleary, John C. (Cornwall L)<br/>           Collins, Shirley (Wentworth East L)<br/> <b>Conway, Hon. Sean G.</b>, Minister of Mines (Renfrew North L)<br/>           Cooke, David R. (Kitchener L)<br/>           Cooke, David S. (Windsor-Riverside NDP)<br/>           Cordiano, Joseph (Lawrence L)<br/>           Cousens, W. Donald (Markham PC)<br/>           Cureatz, Sam L. (Durham East PC)<br/> <b>Curling, Hon. Alvin</b>, Minister of Skills Development (Scarborough North L)<br/>           Daigeler, Hans (Nepean L)<br/>           Dietsch, Michael M. (St. Catharines-Brock L)<br/> <b>Eakins, Hon. John F.</b>, Minister of Municipal Affairs (Victoria-Haliburton L)<br/> <b>Edighoffer, Hon. Hugh A.</b>, Speaker (Perth L)<br/>           Elliot, R. Walter (Halton North L)<br/> <b>Elston, Hon. Murray J.</b>, Chairman of the Management Board of Cabinet (Bruce L)<br/>           Epp, Herbert A. (Waterloo North L)<br/>           Eves, Ernie L. (Parry Sound PC)<br/>           Farnan, Michael (Cambridge NDP)<br/>           Faubert, Frank (Scarborough-Ellesmere L)<br/>           Fawcett, Joan M. (Northumberland L)<br/>           Ferraro, Rick E. (Guelph L)<br/>           Fleet, David (High Park-Swansea L)<br/> <b>Fontaine, Hon. René</b>, Minister of Northern Development (Cochrane North L)</p> | <p><b>Fulton, Hon. Ed</b>, Minister of Transportation (Scarborough East L)<br/>           Furlong, Allan W. (Durham Centre L)<br/> <b>Grandmaître, Hon. Bernard C.</b>, Minister of Revenue (Ottawa East L)<br/>           Grier, Ruth A. (Etobicoke-Lakeshore NDP)<br/>           Haggerty, Ray (Niagara South L)<br/>           Hampton, Howard (Rainy River NDP)<br/>           Harris, Michael D. (Nipissing PC)<br/>           Hart, Christine E. (York East L)<br/>           Henderson, D. James (Etobicoke-Humber L)<br/> <b>Hošek, Hon. Chaviva</b>, Minister of Housing (Oakwood L)<br/>           Jackson, Cameron (Burlington South PC)<br/>           Johnson, Jack (Wellington PC)<br/>           Johnston, Richard F. (Scarborough West NDP)<br/>           Kanter, Ron (St. Andrew-St. Patrick L)<br/> <b>Kerrio, Hon. Vincent G.</b>, Minister of Natural Resources (Niagara Falls L)<br/>           Keyes, Kenneth A. (Kingston and The Islands L)<br/>           Kozyra, Taras B. (Port Arthur L)<br/> <b>Kwinter, Hon. Monte</b>, Minister of Industry, Trade and Technology (Wilson Heights L)<br/>           Laughren, Floyd (Nickel Belt NDP)<br/>           LeBourdais, Linda (Etobicoke West L)<br/>           Leone, Laureano (Downsview L)<br/>           Lipsett, Ron (Grey L)<br/>           Lupusella, Tony (Dovercourt L)<br/>           MacDonald, Keith (Prince Edward-Lennox L)<br/>           Mackenzie, Bob (Hamilton East NDP)<br/>           Mahoney, Steven W. (Mississauga West L)<br/> <b>Mancini, Hon. Remo</b>, Minister without Portfolio (Essex South L)<br/>           Marland, Margaret (Mississauga South PC)<br/>           Martel, Shelley (Sudbury East NDP)<br/>           Matrundola, Gino (Willowdale L)<br/>           McCague, George R. (Simcoe West PC)<br/>           McClelland, Carman (Brampton North L)<br/>           McGuigan, James F. (Essex-Kent L)<br/>           McGuinty, Dalton J. (Ottawa South L)<br/>           McLean, Allan K. (Simcoe East PC)<br/> <b>McLeod, Hon. Lyn</b>, Minister of Colleges and Universities (Fort William L)<br/>           Miclash, Frank (Kenora L)<br/>           Miller, Gordon I. (Norfolk L)<br/>           Morin, Gilles E. (Carleton East L)<br/>           Morin-Strom, Karl E. (Sault Ste. Marie NDP)</p> |
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**Munro, Hon. Lily O.**, Minister of Culture and Communications (Hamilton Centre L)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

**Nixon, Hon. Robert F.**, Deputy Premier, Treasurer of Ontario and Minister of Economics and Minister of Financial Institutions (Brant-Haldimand L)

Offer, Steven (Mississauga North L)

**O'Neil, Hon. Hugh P.**, Minister of Tourism and Recreation (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

**Patten, Hon. Richard**, Minister of Government Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

**Peterson, Hon. David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

**Phillips, Hon. Gerry**, Minister of Citizenship (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

**Ramsay, Hon. David**, Minister of Correctional Services (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

**Riddell, Hon. Jack**, Minister of Agriculture and Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the Committees of the Whole House (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

**Scott, Hon. Ian G.**, Attorney General (St. George-St. David L)

Smith, David W. (Lambton L)

**Smith, Hon. E. Joan**, Solicitor General (London South L)

Sola, John (Mississauga East L)

**Sorbara, Hon. Gregory S.**, Minister of Labour (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)

**Sweeney, Hon. John**, Minister of Community and Social Services (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

**Ward, Hon. Christopher C.**, Minister of Education (Wentworth North L)

Wildman, Bud (Algoma NDP)

**Wilson, Hon. Mavis**, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

**Wong, Hon. Robert C.**, Minister of Energy (Fort York L)

**Wrye, Hon. William**, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

Vacancy: London North

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No. 35

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 34th Parliament**  
Thursday, January 7, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, January 7, 1988

The House met at 10 a.m.

Prayers.

## MEMBERS' STATEMENTS

### CYCLING

**Mrs. Grier:** In May 1987, I introduced into this Legislature An Act to amend the Highway Traffic Act. That bill was a very simple amendment that would have provided that cyclists had to provide their name and address to a policeman if asked to do so on the highway. That bill was circulated to a number of city councils and received wide support from councils all across the province and from many citizens.

I was therefore delighted to find that in June 1987 the Minister of Transportation (Mr. Fulton) had written to the city of Toronto council to say:

"I am recommending to cabinet that the Highway Traffic Act be amended to authorize a police officer to require a cyclist to identify him or herself where an officer has reason to believe that an offence has been committed. It is my hope that such an amendment will be introduced and, if possible, passed before the summer adjournment."

The date of that letter, as I say, was June 1987.

What this commitment was for was a very simple, straightforward piece of legislation that had widespread support and that would have been adopted unanimously, I am sure, by this House. What I would like to know from the minister and from the government is, what have they been waiting for? Why now, in January 1988, have we seen no initiative to do this simple piece of corrective legislation?

### TORONTO AREA TRANSPORTATION

**Mr. Cousens:** The time has come for the province to look at the transportation needs of greater Metropolitan Toronto. I am thinking of the regions that surround Metropolitan Toronto—York, Durham and Peel—where already there are thousands of commuters who are using the Toronto transit system; they are coming into Toronto to work, to study, to shop and to do so many things that have helped make Toronto such a prosperous area. None the less, the people

outside of Metropolitan Toronto, as it is now described, are being deprived of good transportation services.

The time has come for the province to review and investigate a way of integrating the services for transportation outside of Metropolitan Toronto, so that those commuters and those people who want to use the Toronto Transit Commission are not otherwise being hampered.

I would like to see a system that begins to recognize that seniors and students who want to use those services cannot qualify for discount rates. I would like to see a system where there is a better integration of services outside Metropolitan Toronto, so those people who are in Markham, Vaughan, Mississauga or wherever can then link into that system and take advantage of this commuter system.

The roads do not work, yet TTC does, and can be improved in such a way that these services can be far more meaningful to people. Ontario already has a significant investment in the TTC. Let us have some more involvement.

### ATLAS OF THE BREEDING BIRDS OF ONTARIO

**Mr. Adams:** I am pleased to draw the attention of the House to a largely volunteer project which involved literally every square centimetre of every riding represented here. This is the 640-page Atlas of the Breeding Birds of Ontario. This magnificent and valuable publication documents the breeding locations of nearly 300 bird species in this province. It was produced through hundreds of thousands of volunteer hours by 1,400 persons. These volunteers worked from the Arctic seashore and tundra of Ontario's north to the inner cities of the south.

The Atlas of the Breeding Birds of Ontario is more than a decorative publication we would all be proud to own. It is a baseline against which hundreds of thousands of amateur and professional birdwatchers can monitor the health of our everyday environment.

We should congratulate the sponsors of the atlas, the Federation of Ontario Naturalists and the Long Point observatory. We should also congratulate the editors, Fred Helliner of Trent University, Mike Cadman of the FON and the

appropriately named Paul Eagles. Mr. Eagles is a high-flying professor at the University of Waterloo. Above all, we should congratulate those 1,400 of our constituents who made the atlas possible. Thanks to them, the province of Ontario has a world-class breeding bird atlas.

#### MEMBERS' SALARIES

**Mr. R. F. Johnston:** Mr. Speaker, it is with great delight that I see the government House leader and the Treasurer (Mr. R. F. Nixon) here today, those two parsimonious examples of government restraint who are holding back the salaries of the Liberal back-benchers.

I have in my hand a comment from the Toronto Star about Metro council's decision perhaps to raise their salaries to \$7,000 more a year than the Liberal back-benchers. Not only that; it was a great, well-known Liberal, June Rowlands, who said those councillors do three times the work that those guys do. It is interesting that that should happen today, as we are about to try to pass our pay bill to keep us poorer than the councillors.

Perhaps the muzzling of the back-benchers that has been required, and the dire circumstances if anybody speaks against this, will be lifted, so people can move an amendment to the act reforming Metropolitan council this afternoon to say that the members of this House should set the salaries for Metro council. If we cannot have that, perhaps to raise our salaries at least, we might tie our salaries to theirs.

#### RETAIL STORE HOURS

**Mr. Harris:** More than a dozen times in the past month and a half, I, along with other members of our caucus, have raised the issue of Sunday shopping in this House. The actions of this government have needlessly inflamed this issue and caused disruption and confusion in communities across this province.

Every Christmas season since this government came to office, it has said it would deal with the issue. Last spring, the government commissioned an all-party task force on Sunday shopping. That task force recommended that Sunday be maintained as a common pause day throughout Ontario, allowing families one day which they could spend together. That is the position of my party, one which we have been pressing the Peterson government to adopt.

We support the family and the protection of workers in this regard. Clearly, the Premier (Mr. Peterson) does not understand the implications of his political skating on this issue. He has not

stood up for the family, he has not stood up for the retail workers and he has not stood up for the small business owners. Penalizing furniture dealers, automobile dealers, people in the hardware trade and many others for his own political expediency is something we deeply regret. We call upon this government, on this last day of the session, to reflect on what it is doing and to adopt our position and support a common pause day in Ontario.

1010

#### FOOD DISTRIBUTION

**Mr. Owen:** Since the dawn of civilization, we have had two basic needs essential to our survival: food and shelter. Those of us lucky enough to have a warm place to live and enough food to eat may find it easy to forget that here in Ontario people go to sleep at night homeless and hungry. It is indeed fortunate for us that people like Bill Friend, the president of the Barrie Community Food Foundation, and Barb Taylor, the manager of the Barrie Food Bank, do not forget. They are just two of hundreds of volunteers across Ontario who believe that every person has the right to a bed and breakfast.

The city of Barrie has become a magnet for job seekers from across Canada. When they arrive, many do find jobs, but unfortunately, few are successful in finding an affordable place to live. What we end up with is a vicious circle with people spending up to 80 per cent of their income for a roof over their heads only to find that what is left over will not cover the monthly food bill.

Close to 3,600 such people received help from the Barrie Food Bank in 1987, an increase of almost 30 per cent from 1986, and it is getting worse. As many as 350 to 400 Barrie children rely on the food bank every month.

Hostels and food banks do not have to be a fact of life in Ontario. We do not have to sit idly by and watch the Bill Friends and the Barbara Taylors of this province do their job because we fail to do ours. We can and, indeed, we must fully commit ourselves to putting the food banks in Ontario out of business.

#### PRIVATE MEMBERS' BILLS

**Mr. R. F. Johnston:** I am concerned about the lack of action on private members' legislation finding its way into committees. There is the environmental bill of rights by the member for Etobicoke-Lakeshore (Mrs. Grier), which we had hoped would be referred out to committee but which I understand is not being referred out.



Today I have learned that the standing committee on social development has got nothing on its plate at all during the spring break, even though there is a private member's bill which has passed this House in the name of the member for Riverdale (Mr. Reville) on community mental health, because the chairman of the social development committee has failed to present to the House leaders of this chamber a request that we sit to plan out hearings on that matter and even though the committee stated by resolution that it wished this to happen and for the last two weeks he has been lobbied to do so.

I am very disheartened to feel that perhaps this government is deliberately standing in the way of opposition private members' business going to committees which have no other business before them to deal with.

**Mr. Speaker:** That completes members' statements.

**Mr. Jackson:** Mr. Speaker, may we have the unanimous approval of the House to make a statement about Ukrainian Christmas today?

Agreed to.

#### CELEBRATION OF JULIAN CHRISTMAS

**Mr. Jackson:** I would like to take this moment to express warmest wishes to our citizens who are celebrating Ukrainian Christmas today. There are approximately 150,000 Ukrainians as well as Serbians in this province who are observing this holy day according to the Julian calendar, beginning yesterday with the traditional Ukrainian dinner, which is typified by a special meatless traditional dinner prepared in 12 stages in reverence to the 12 apostles. This meal also involves the setting of a special place for family members who have passed away in the previous year. It is followed by a traditional mass, and in the morning the children of the Ukrainian community go from house to house singing carols and raising funds for charity. In fact, the children of St. Mary's congregation in Burlington gave their proceeds to an orphanage in Argentina last year.

These nationalities observe this most holy of days, and it is typified by a certain spirituality built around the family. That tradition has been passed on through many generations. In fact, it has been observed by my family, given that my grandfather was born in the Ukraine and came to Canada. My family last night met in Toronto and observed this rich and religious ceremony.

We are very fortunate indeed in Ontario that we live in a multicultural society, whereby our lives have been enriched by the contributions of

the eastern European peoples, and we share with them today in this House a sense of reverence and a deep respect for this holiest of holy days. We also acknowledge the fact that this is the 1,000th year of recognition of Christianity by the Ukrainian people.

It is an honour for us to express our respect for this holy day, and I am proud and pleased to do so.

[Remarks in Ukrainian]

**Mr. Speaker:** The member for Hamilton West—pardon me, Scarborough West.

**Mr. R. F. Johnston:** It is all the same, Mr. Speaker, if it is not rural Ontario.

As a member who follows the Gregorian calendar, I would like to join the member for Burlington South in recognizing the existence of the Julian calendar and its importance to a number of communities in Ontario in its multicultural reality. It is always an expanding experience for all of us to understand the complexities and the traditions and the strength of feeling among the various communities.

This holy day for the people of the Ukrainian and Serbian communities is one that I think is important for all members to recognize, especially as this is the millennium of Christianity coming to the Soviet Union and to the Ukraine, a time which has a special meaning for people from the Ukrainian community, especially given some of the suppression of religion that has taken place in the Soviet Union which they have had to fight these many, many years.

It is, however, I am reminded, a time when many misunderstandings take place around whom this applies to. Just this morning on Metro Morning, I heard Joe Côté talking about all the various groups in our society which are under the Julian calendar, listing Lithuanians, Estonians and others who, I would remind him and others, are in fact part of the Gregorian calendar. He had a real misunderstanding there.

For those communities who are celebrating their Christmas today, I wish them all the best, and it is important that the House recognize those traditions.

**Mr. Kozyra:** I too would like to add my greetings to those celebrating this traditional holiday. As members know and as has already been mentioned, the Julian calendar holds certain traditional holidays 13 days later than the Gregorian calendar, and I would like to say there is no truth to the rumour that this government invented the Julian calendar so that it could have the great debate on free trade and still finish before Christmas.



I would like to say that I am proud to be of Ukrainian descent and follow this festive tradition. For those of you without the benefit of instantaneous Ukrainian translation, the greetings I bring you will say, "Best greetings and joyous greetings and festive greetings for Christmas and good luck in the new year."

[Remarks in Ukrainian]

## STATEMENT BY THE MINISTRY

### INTERNATIONAL ARBITRATION CENTRE

**Hon. Mr. Scott:** Last May I announced in the House the appointment of a committee to review the need for an international commercial arbitration centre in Ontario. Today I would like to table that committee's report.

The review was commissioned because Canada had just joined the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards. Also, the federal government and a number of provinces were on the point of introducing modern laws to govern international commercial arbitration conducted in this country.

Since then, all provinces except Ontario and Saskatchewan have passed new laws—Ontario's is presently before the Legislature as Bill 7—governing international commercial arbitrations; and Quebec indeed has opened a centre, which makes it the second centre after British Columbia.

An international arbitration centre would settle disputes involving parties from more than one country or that involve transactions to be undertaken in more than one country.

The committee which reviewed the possibility of establishing an international centre here were all members of the private sector with experience in arbitration. They were David Bristow, Martin Teplitsky and Chris Paliare, all practising lawyers in Toronto; William Graham of the University of Toronto's faculty of law; Paul Walters, a consulting engineer; and Edward Chick, a vice-president of the Royal Insurance Company. They all served without remuneration.

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The committee reported that the anticipated volume of international commercial arbitration in Toronto does not justify setting up such a centre for that purpose alone. However, it believes there will be increasing demand for all forms of arbitration—local, labour relations, as well as international—and it therefore recommends establishing a centre to meet this demand.

Arbitration, as members will know, has a number of advantages over court proceedings. For example, arbitration is usually faster and, for that reason, cheaper than going to court. The parties can choose an arbitrator with expertise in their field. The rules for arbitration can be more flexible since the parties can establish most of them. Also, arbitration is done privately, eliminating the need for disputants to air their differences in public.

The committee recommended a centre that would be administered quite separately from the judicial system so as to emphasize that it represents an alternative to court litigation.

The committee believes a reasonable fee for the use of the centre and its facilities would cover the cost of operating it within a couple of years. The startup costs, however, are another matter. The committee suggested it might be desirable to have the centre partially funded by the private sector in order to distance it from government.

I want to assure all honourable members that the government and my ministry propose to take this report seriously. I also want to thank the members of the committee for their very thorough review and their constructive and useful recommendations.

## RESPONSES

### INTERNATIONAL ARBITRATION CENTRE

**Mr. B. Rae:** In response to the Attorney General (Mr. Scott), we appreciate the report of the committee, but it seems to me, at any rate, on reading the report that there is a need for the government, before it makes a decision about establishing an arbitration centre, to look at what are the broader problems affecting the arbitration process in the province.

The Attorney General is as experienced in this matter as anybody in the province, but I am sure he will be aware of the increasing unhappiness in the trade union community with the current arbitration process, with the length of time, with the cost, with the delays, with the increasing reliance on lawyers in order to be able to present cases, when the point of the process was to get away from the requirement that lawyers be used.

I hope very much that in looking at this report the government will look hard at the recommendations in terms of the modernization of the Arbitrations Act and the need for us to look at the labour legislation to see whether there is not a way of improving it.

If we do that, then we are able to say this is the kind of centre that will be established. It will be involved in industrial relations disputes as well as



in commercial ones of a private nature, nationally, provincially and internationally. In that kind of context, I think we could all agree that an arbitration centre would be a very exciting idea and would make a lot of sense.

The possibility of convincing someone, for example with the experience and depth of understanding of the Deputy Premier (Mr. R. F. Nixon)—who, I think, would agree that it would be wise; if we could get away from relying on lawyers and allow individuals to settle their own disputes without having to go to lawyers, it would be a good idea. If we can do it in a way which is fast, which is speedy and which allows people to resolve their disputes informally in front of an arbitrator, then that is a good idea too. If it means spending a little bit of money at the beginning in order to get that done, then that is money well spent, which is sometimes how money should be spent.

**Mr. Hampton:** I want to second some of the comments made by my leader and I want to bring to the Attorney General's attention that he might do better asking the Treasurer (Mr. R. F. Nixon) for funds for the establishment of an arbitration centre; since that might be conducted in combination with the private sector, he might be more successful in promoting an arbitration centre than he would be in getting the Treasurer to unlock the keys to the Treasury for a large number of court expansions and new court facilities.

In fact, as I read the report of the committee, what it is also suggesting is that the centre look at actually actively promoting arbitration. I think this is something the centre should be involved in and something the government should attempt to follow up with groups in the private sector, because I think it definitely has possibilities in terms of quick and inexpensive dispute settlement.

**Mr. Eves:** I would like to rise on behalf of our party and state that we are certainly in agreement with the recommendations made by the committee. If you look down the names of those committee members, they are very distinguished, well-respected, well-qualified individuals. I would certainly agree with the comments of the member for York South (Mr. B. Rae) that this is perhaps also a good opportunity to look at the arbitration process as a whole, not only with respect to foreign arbitration but also with respect to the arbitration process in Ontario.

We, in our party, look forward to the government committing the necessary funding to such a centre. Who knows, this might be the first step the Attorney General can take towards

recognizing the dispute settlement mechanism in the free trade agreement. He might take this one small step along the way. He might even get some enlightenment out of this over a period of time.

**Mr. Sterling:** Like my other colleagues in the Legislature, I would like to support this kind of move, but I would like to see our province strengthen our Arbitrations Act so that it would be possible for private parties to go to arbitration and have an order with the power of a court order, therefore avoiding the tying up of courts and allowing private parties to settle their own disputes without involving public expense.

Each court case, although each side pays for its legal counsel and its experts, etc., does cost this province significant amounts of money. I believe large commercial cases could be heard by an arbitration proceeding as long as, under our Arbitrations Act, that particular proceeding was given the same force as a court order.

I look forward to the Attorney General giving the arbitrators within our province the same kinds of powers they have in some states of the United States.

**Mr. Harris:** I have one comment that neither of our two critics would probably want to associate himself with. I was disappointed that this committee was dominated by lawyers.

**Mr. Jackson:** Surprised they ever reported.

**Mr. Sterling:** I might add they did that work without remuneration. I must speak on behalf of the bench.

**Mr. Brandt:** That is a first.

**Mr. Speaker:** That completes ministerial statements and responses.

**Mr. Jackson:** On a point of order, Mr. Speaker: I would like to rise and correct the record of Hansard of January 6, 1988, regarding the statement, "The average rent increase for people living in rental housing in Metro from October 1986 to October 1987 was 4.5 per cent." I wish to advise the House that this statement is deceptive and incorrect and I ask that the Minister of Housing (Ms. Hošek) remove that statement from the briefing book from which—

**Mr. Speaker:** Order. That is not a point of order. It would have been had the member wanted to correct his own statement.

## ORAL QUESTIONS

### FIRESTONE CANADA INC.

**Mr. B. Rae:** I have some questions of the Treasurer about the windup of the Firestone

pension plan. In the Treasurer's statement yesterday, I want to make it clear that everything he said is in accordance with the regulations, and that may be the problem; it may be that the law is not strong enough. One of the things the Treasurer said is that lump sum payouts or transfers of funds to members transferring to another pension plan are going to be prohibited because of the fact there is a significant underfunding of the plan. He then went on to say that Firestone would have to pay interest on that money.

Last year the Pension Commission of Ontario rate of interest, which was required by the pension commission, was 6.5 per cent. The rate of a guaranteed investment certificate, if somebody took a payout and was able to put it into a self-administered registered retirement savings plan or buy a certificate for five years, would be somewhere around 9.5 per cent, 10 per cent or 10.5 per cent depending on the time of year one bought it.

Does he really think it is fair that the workers who have been fired by Firestone should be subsidizing Firestone to the tune of three per cent or four per cent per annum?

**Hon. R. F. Nixon:** I think the interest rate the Leader of the Opposition describes is set by regulation on the basis of current rates. If I recall, these regulations were established when the amendments were approved by the House about a year ago and they should be kept up to date. There is no reason anybody should be subsidizing the financial requirements of the company that is responsible for the payout.

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**Mr. B. Rae:** Let us go over this again; let us look at the difference, because I think it is important for people to understand. The \$30,000 paid out at 6.5 per cent for five years gets you \$41,100 at the end of the five years; \$30,000 at 10 per cent for five years gets you \$48,300. That is a difference of over \$7,000 to that individual worker.

The rate that was set last year at 6.5 per cent was still substantially lower than those rates paid by banks for guaranteed investment certificates, lower than the average rate of return of any self-administered registered retirement savings plan, on average, across the province—significantly lower, in other words, than what workers would be able to get if they were able to get their hands on that money.

Does the Treasurer not think it fair in the circumstances that he sit down with Firestone and attempt to use whatever suasion he can and,

if necessary, change the regulations in order to ensure that working people who have been fired by this company, which made \$24 million last year, are not in the position of having to subsidize those people who are taking their money and running off to the United States?

**Hon. R. F. Nixon:** The rates cannot be made to vary day by day. On the other hand, the honourable member points out that even at 6.5 per cent they were substantially lower even a year ago. My understanding is that the pension commission establishes these rates in consultation with both the companies that are responsible for the pension and the representatives of their employees. I would agree that the rates ought to reflect current rates, within reason, but they cannot be adjusted day by day, on a daily interest basis.

I will look into the fact that they seem to be out of line on this basis. I say again that the pension commission has the responsibility, which it has fulfilled, of dealing with both parties to the pension agreement.

**Mr. B. Rae:** I would like the Treasurer to be able to give us a categorical assurance that the rate which the commission will charge Firestone and guarantee to the workers who have been fired will be at least the same as the market rate which they would get on five-year money in a private institution. They have to have at least that guarantee. Otherwise, the effect is going to be that workers who have been fired cannot get access to their money, not because they do not have a right to it but because the company has decided not to contribute to the plan and has made that purposeful decision not because it is bankrupt but because it has chosen to take that money and go to the United States with it. Can the Treasurer guarantee—

**Mr. Speaker:** The question has been asked.

**Hon. R. F. Nixon:** I say to the House and to the honourable member that I believe the rate should be fair or be the rate that is agreed to by the parties concerned.

**Mr. B. Rae:** What choice do the workers—

**Mr. Speaker:** Question, the Leader of the Opposition.

## NURSING SERVICES

**Mr. B. Rae:** I have a question of the Minister of Health. The minister has commented in the last few days on the problems that we are all aware of over the last weekend with respect to two particular incidents of hospitals in Toronto not being able to provide services because of



what she has described as a nursing shortage. The minister pointed with pride yesterday to the fact that she had activated a committee which met once in December and which is supposed to be meeting again in February. Can the minister, having been the minister and having been in a government that has been in power now for two and a half years, tell us what her explanation is for the shortage itself.

**Hon. Mrs. Caplan:** I would like to respond to the Leader of the Opposition by noting, as I am sure he is aware, that there are two very distinct issues we are dealing with here. One is the capacity of the perinatal system and the other is the requirement for nurses to serve in the neonatal units. There are two very distinct issues.

As soon as I became aware of the nursing shortage, shortly after arriving at the Ministry of Health, I quickly reactivated a committee which had been looking at nursing manpower since the 1980s and asked it to see if it could address this issue expeditiously, because the information I had been given was that this was a cyclical problem.

**Mr. B. Rae:** It is also a problem that is not just one affecting neonatal units and affecting perinatal units. You can talk to patients whose surgery has been delayed or cancelled. You can talk to nurses who have decided to get out of some kinds of intensive and critical care nursing because the rewards are simply not there in terms of the kind of stress which they have to go through. You can talk to literally thousands of nurses who have left nursing or who have left Ontario for other places because the system is not working in the province. I hope the minister does not think that the problem is just confined to those two particular areas of nursing care, because I can assure her that is not the case and that is not what is going on out there.

Can the minister assure us that when she gets the report in February, which we now understand is when she is going to get it, it will be followed by action and by not simply another committee?

**Hon. Mrs. Caplan:** I can assure the Leader of the Opposition that I am very concerned about how we plan for health professionals and health care workers in this province. I believe our health system at the present time is functioning, although there are stresses in the system in all areas relating to some areas where we have shortages. I have already discussed this issue as specific to nursing with the Registered Nurses' Association of Ontario and with the Ontario Nurses' Association.

If the member has any information or advice, I would be pleased to hear from him on his suggestions. I can assure him that the Ministry of Colleges and Universities and the Ministry of Health are looking to see how we can address this cyclical problem, which over the past number of years has had periods of surpluses of nurses and now shortages of nurses, to try to smooth that out and still expand and provide the services to the people of the province.

**Mr. B. Rae:** When the minister says it is only cyclical and that is the primary problem, I must say to her that has not been my impression from talking with a number of nurses and people in the profession all the time.

It is a question of status. It is a question of job reward. It is a question of decision-making. It is a question of the power structure in the hospital system. It is a question of their salaries. It is a question of their satisfaction. It is a question of their family lives. It is a question of their stress.

All those are factors, and I think if the minister is just going to look at the cyclical problem and say it is a question of making sure that everything is in place on that side of things in terms of the numbers, I really say to the minister, with great respect, she is just missing the boat. It is a much bigger problem than that. It specifically relates to nursing and it specifically relates to the kind of attention and care that we give to the people who, after all, are really the critical care givers in terms of the overall work of the health care system and of our hospital system. They are at the core in terms of what is there.

Again, can the minister assure us that steps will be taken in February to look at these broader problems and not simply see it as a question of numbers and cycles?

**Hon. Mrs. Caplan:** Let me assure the Leader of the Opposition that steps not only will be taken, but that steps have already been taken. The nursing schools in this province are at capacity. We have increased that capacity just this past September. We are looking at the broader question, the broader issues and some of the policies of the profession itself; those policies which restrict merit pay.

Those are the kinds of things where I think the profession must come together and advise me. I have asked them to do that. I asked them to do that as soon as this came to my attention a couple of months ago and I will be looking forward to hearing their advice as early as they can present it, because I have asked them to report to me as early as February.



## IDEA CORP.

**Mr. Brandt:** My question is to the Premier regarding a statement he made on January 4 relating to IDEA Corp., and I quote from the Hansard of that day: "As I understand it, no new responsibilities were taken on," from February 1986 to June 30, 1986, "it was just winding down the portfolio it had at that time."

If that was the case and if in fact IDEA Corp. was just winding down, I wonder why, in the four-month period that I have just outlined, IDEA invested some \$10.4 million or almost 25 per cent of the entire investment of IDEA Corp. during the lifetime of IDEA Corp. That was during the selfsame time as the Premier was indicating it was winding down. Do those remarks not seem somewhat out of sorts with the Premier in terms of what he implied and what actually happened?

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**Hon. Mr. Peterson:** Let me refer that to the minister.

**Hon. Mr. Kwinter:** There seems to be some confusion in the minds of people of what the process is when we talk about winding down the IDEA Corp. There is no question that as of July 1986, the IDEA Corp. portfolio was transferred to the Ontario Development Corp. The decision was made to wind down the IDEA Corp. The decision was not made to take all of the companies that had been funded by the previous IDEA Corp. and now continuing to be monitored by ODC and say to them: "You must close down your doors, forget about your business, fire all of these people. Goodbye."

What we have undertaken and what we continue to do is to monitor the 30-odd companies that are being funded through the previous IDEA Corp. and the present ODC. As they require additional funding to keep them viable, if they can make the business case, we are doing it. I will say to honourable members we have in reserve something in the neighbourhood of \$10 million to \$12 million to do that. If companies can come forward to us and make the case, we are keeping them going because we are convinced that those companies in our portfolio that are viable will ultimately make a return to the taxpayers and will in fact prosper.

**Mr. Brandt:** I know the minister is aware that from the inception of the IDEA Corp. in 1981 until June 1985, the losses represented some \$2.7 million, which was 10.1 per cent of the total losses that were going to be realized by IDEA Corp. From July 1985 until June 1986, there was

\$19.4 million, representing 72.4 per cent of all the losses, and from June 1986 until this point in time, \$4.7 million, taking into account the additional moneys that the minister has set aside for some of the anticipated losses that may still occur. That represents another 17.5 per cent.

What this boils down to and what the minister, the Premier and this government should be concerned about is that 90 per cent of all losses in IDEA Corp. have occurred during the life of this government.

I would ask the minister a simple question. As a result of the 90 per cent during the period from July 1985 until now and the total of some \$24 million, rounded, that has been lost, could the minister indicate how that could occur in that short time frame, that 90 per cent of all the losses of IDEA Corp. occurred under this administration?

**Hon. Mr. Kwinter:** There are several reasons for that to happen and I would be happy to outline what some of them are. In many cases, the previous administration of the portfolio—as the previous government did—kept loans on its books because it made the balance sheets look good. We had that with Minaki Lodge and with Suncor. When we got in, we decided, "Let us get a balance sheet that truly reflects what the potential is for these investments." So they show up as losses, and I admit that. That is one of the reasons. It was a matter of taking a look and, in the jargon, biting the bullet and saying, "Let us make sure we know what we are dealing with."

There is another factor that the member should be aware of, and this came up in estimates. He has to understand the purpose of both the IDEA Corp. and the Ontario Development Corp. We are providing funds of a very high risk nature. That is the role we are playing. We are trying to get companies that are highly innovative, that have a great deal of potential, but we understand that these funds are at risk. As a matter of fact, at estimates, members of the official opposition were critical, saying we should be prepared to lose more money and to provide funding to companies so that they may have a chance to survive. The member himself in a comment last week stated that maybe we should have put more money into PRA.

**Mr. Speaker:** Order. Final supplementary.

**Mr. Brandt:** Let me give the minister a review of the individuals and the institutions that are either investigating or inquiring into the affairs of IDEA Corp. and the investments of that corporation since October 1986. We have John Kruger, the special adviser to the Premier; Bob



Carman, the secretary of the cabinet; the standing committee on public accounts; Jack Biddell; the Ontario Development Corp.; Peat Marwick; Coopers and Lybrand; the Ontario Provincial Police, which have two ongoing investigations; and the Office of the Provincial Auditor.

As I stated before, \$24 million has been lost since July 1985. How many more studies, how many more delays is this government going to allow to occur before it does the right and proper thing: forget the smokescreens and call for a judicial review so that it gets everything out in public and everything on the table?

**Hon. Mr. Kwinter:** Again we have an accusation by innuendo that there is something untoward about these investments. I can tell the member that although I am not exactly thrilled with the idea that we are losing money, he has to understand the mandate of the IDEA Corp., our Innovation Ontario Corp. and all these other programs we have in place to try to encourage innovative, state-of-the-art development in this province. That is the only way we are going to become competitive.

Now, notwithstanding that there are losses and notwithstanding that I am not happy about them, no one has been able to convince me, or the Provincial Auditor in his recent audit of the IDEA Corp., that there was anything untoward, other than the fact that we are investing in very high risk ventures.

**Mr. Brandt:** That still does not answer the question of why the government will not move to the proper mechanism for clearing the air on this rather than go through this long litany of other approaches that have proved to be less than satisfactory.

Continuing on with this question, if I can get back to the Premier with respect to the primary goal of the auditor, who has now been called into play in connection with PRA International, the goal of the auditor is to assist the Legislature in holding the government and its administrators accountable by reporting to the Legislature on the quality of the administration's stewardship of public funds. The Provincial Auditor's secondary goal is as follows: to assist deputy ministers and agency heads in holding their administrations accountable by reporting to them on the quality of the ministries' agencies' stewardship of public funds.

I would like to ask the Premier, given that that is the background of the auditor's responsibilities as laid out by the government, how does he see that that fits into the investigation the auditor is supposed to undertake in this particular connec-

tion relative to PRA, when it is an investigation involving police documents, alleged commercial fraud, perceived political influence—a whole series of things? How can the auditor look into those kinds of questions?

**Hon. Mr. Peterson:** I do not see that there is any problem at all. I think he has been guaranteed access to anything he feels he should have access to. He is the servant of this House. His is an office that is respected by all. His reports go to the standing committee on public accounts, chaired by a member opposite, and they can be reviewed by all members there.

Let me tell my honourable friend that the Provincial Auditor was chosen because of the great faith we have in his impartiality, the fact that he is a servant of this House, the fact that he has experience and he will be able to move quickly. The report will go to the committee for all to discuss and second-guess, so it has a political check on it as well. My friend asks me the same question almost every day, two or three times a day, but I just say to my friend that I think his approach is wrong.

**Mr. Brandt:** It is interesting to note that section 17 of the act relating to the auditor requires the Provincial Auditor to undertake special assignments requested by the assembly, the standing committee on public accounts by resolution of that committee, or by a minister, provided that these special assignments do not take precedence over the auditor's other duties.

Now, given the importance of this particular question, the losses related to IDEA Corp. and the questions we have been raising on a daily basis with the Premier, does he not feel that he is in danger of attempting to politicize the auditor's role as it relates to the investigation, limited though it may be under the terms of the act, and as it relates to this whole matter of the IDEA Corp. review?

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**Hon. Mr. Peterson:** Not at all, and in asking that question, the member is questioning, I say respectfully, the credentials of the auditor. He is saying that he is being politicized. I say to my honourable friend, if anybody is politicizing it is him. It is the innuendo he is raising on a daily basis.

Let me tell him, I stand in front of him completely confident that there is no political involvement, as he would try to suggest on a daily basis. Nothing is covered up at all. It is all there for the Provincial Auditor, a respected figure, to determine.

I believe all the facts should come out, and he will be assisted in every way to do that. I am sure he will read Hansard and he will take the member's advice on the kinds of things that he should be investigating, because if he does not, the member and the members opposite can go to the standing committee on public accounts and say, "Did you investigate this?" and "What about this?"

My honourable friend not only has the integrity and the independence of the auditor's office but also has the political check at the end through the public accounts committee. In other words, he has two avenues to explore all aspects of this. Surely that should satisfy him.

I know my honourable friend has put forward a suggestion. First he asked for a police inquiry and then he changed his mind and wanted a judicial inquiry, but we do not think it is the appropriate or expeditious way to deal with it. We think this is the way it is completely fair. I guess we just have a difference of opinion on this matter.

**Mr. Brandt:** I want to make it perfectly clear to the Premier that in no way am I challenging or questioning the integrity of the Provincial Auditor as it relates to this situation. I am questioning the Premier on the terms of reference of the auditor's position and responsibility, as laid out and incorporated in the legislation of this particular province.

Let us talk about the expeditious way in which the government is handling this. On October 14, 1986, the former Minister of Industry, Trade and Technology, the member for Quinte (Mr. O'Neil), asked Mr. Biddell for an immediate report. We are still waiting for that one.

On December 11, 1986, the Premier said the Ontario Provincial Police route was the quickest way to get to the bottom of the Wyda Systems mess. One year later, we are still waiting for his expeditious handling of that matter.

On January 4, 1988, the Minister of Industry, Trade and Technology (Mr. Kwinter) asked the Provincial Auditor to do his work quickly, and yet as of today at 10:20 of the clock, when we checked, the Provincial Auditor still did not have any indication from the Premier's office or from the office of the minister with respect to his terms of reference.

**Mr. Speaker:** Question?

**Mr. Brandt:** When will the Premier stop hiding behind the auditor and the OPP and the committees and every other investigative process that he has set up? If he has nothing to hide, simply send the whole matter over to a judicial

review, get it out in public, so we can find out who was responsible for what as it relates to the losses of IDEA Corp.

**Hon. Mr. Peterson:** I say to my honourable friend that he has read the provisions of the Audit Act, and it allows for the auditor to take on special work.

**Mr. Eves:** It doesn't allow him to take on special work.

**Hon. Mr. Peterson:** Of course it does, and we have said that he can have any resources that are necessary in the circumstances. The minister said yesterday we will assist him in any way to make sure he can pursue any avenue he would like to pursue. All information will be turned over to him. The police will be requested to co-operate with him in all respects.

My honourable friend has this impression that something is being covered up. What he does not understand is that we do not do things the way they used to do them. I am happy to have this all investigated. Let me tell the member, we stand up and take this innuendo from him every single day and I am prepared to stand up and let it all be there.

When the judgement is made on this, those people who formed the IDEA Corp., their appointees, their Mr. Macdonald, their Mr. Blakley—not our appointments—when those judgements are questioned, the judgement that they brought to bear on this—

Interjections.

**Mr. Speaker:** Order.

#### TARIFFS ON SOFTWOOD LUMBER

**Mr. Wildman:** I have a question for the Treasurer with regard to the use of the 15 per cent export tax on softwood lumber. The Treasurer will know that the 15 per cent export tax resulting from the softwood lumber export pricing agreement has meant a transfer from the federal government to this Treasury of \$2 million a month, a total accumulation of between \$20 million and \$25 million to date.

Since the Premier stated at the time the export tax was imposed that the provincial government would use this revenue to assist lumber communities adversely affected by loss of markets and layoffs, would the Treasurer inform the House of the programs that the provincial government has implemented, how much money has been allocated to each, and list the specific northern communities that have been assisted?

**Hon. R. F. Nixon:** I would be glad to provide a written answer to the honourable member as to



the improvements in support for northern communities, but he is aware that the budget of last May indicated clearly that the heritage fund and training programs in the north, a wide variety of programs, would utilize these additional dollars. I want to make it clear that we do not have earmarked dollars in that respect, but certainly those funds which are going to accrue to the Treasurer of the province will be spent in that way.

I think the member should also be aware that we find this additional tax, which we really felt in the long run was not necessary, is interfering with the buoyancy of that aspect of the development of the north. The government of Canada has handled this in the most awkward way that could possibly be imagined. We feel that the negative indications for the development of the north are quite serious. However, I can assure the honourable member that equivalent dollars, in addition, are being spent in the north, as indicated by the budget.

**Mr. Wildman:** The Treasurer will know that his government was an accomplice to the federal government in the bungling of this whole affair. Will the Treasurer confirm and assure the House that the moneys the Premier said would be used to assist the lumbering communities will not be used to form the heritage fund which is to be used for all communities in northern Ontario, but the \$20 million to \$25 million that this Treasury has received will be used specifically to help lumbering communities that have suffered layoffs and loss of markets because of this dumb deal that the federal government, along with this government, has acquiesced to with the US?

**Hon. R. F. Nixon:** This matter has been raised repeatedly in the House. The government position historically, and from our position in this House, is clear. We felt that the federal government did not act effectively in this regard, but we were caught in this net. The 15 per cent was collected and is now being rebated here.

I would say again to the honourable member, we do not have earmarked dollars but the allocation of funds to the north has been far in excess of the moneys that are being accrued from that particular source.

#### RENT REGULATION

**Mr. Jackson:** I have a question for the Minister of Housing.

**Mr. B. Rae:** Just make it up as you go, Cam.

**Mr. Jackson:** That is about what I am going to have to do with the amount of notice I was given.

I have two documents in front of me with respect to Bill 51, the Residential Rent Regulation Act. Under the old legislation, when an award was made by the ministry, a statement was included on all notices to landlords and subsequently to tenants, which states the justified percentage increase, and it is expressed as a percentage figure for a tenant to see and comprehend its impact. It states it is an increase, justified.

As well, I have in the House today a copy of one of the long-awaited awards in the province under the new legislation, and this document is somewhat different from what was proposed by this House in order for it to be clear and comprehensible for tenants.

**Mr. Speaker:** The question.

**Mr. Jackson:** Specifically this document says only that there is a total proposed maximum rent, and what is notably absent is the reference to a justified percentage increase.

**Mr. Speaker:** The question.

**Mr. Jackson:** This represents—

**Mr. Speaker:** Does the member have a question?

**Mr. Jackson:** I want to ask the minister why she has allowed her ministerial staff to allow awards to go out to the hundreds of thousands of tenants in Ontario that are deficient in this information, for what amounts to a deception as to what is the total rent award which they will be receiving.

**Mr. Speaker:** The question has now been asked.

**Mr. Jackson:** Is the minister that afraid of Bill 51?

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**Hon. Ms. Hošek:** I find it very interesting that the honourable member opposite takes this particular tone. Let me ask him a question. I have in front of me a secret document written by the member, circulated to the Hamilton and District Chamber of Commerce, circulated only to chamber members, in December 1986, the time at which our bill came forward.

He has been talking about the concerns he has about the tenants who live in our housing and who are protected by the rent review legislation. What he has said here is: "As long as we have controls, and as long as the belief is that controls are permanent, we won't see a resurgence in rental construction. The incentive isn't there. Our long-term goal must be regional decontrols

tied to vacancy rates, along with a municipal agreement."

He is interested in regional decontrols of rent control. What ridings does he indicate? Not York South, not London Centre, but communities like Sarnia or Thunder Bay, with high vacancy rates, where he thinks rent controls are unnecessary now.

**Mr. Jackson:** The question raised has to do with the deception on the part of the Ministry of Housing with respect to providing full disclosure to tenants in Ontario under Bill 51. The minister has chosen not to answer a basic question, when her government, before she was elected, promised it would disclose this information to tenants. We are talking about people's housing.

Given the fact that the minister has misstated facts as contained in her briefing book about the total impact of rent increases in Ontario for 1987 when she states that rents will go up in the city of Toronto by less than 4.5 per cent, which was her statement yesterday, the fact is that we have documented evidence that there are—

**Mr. Speaker:** The question, please.

**Mr. Jackson:** Thank you, Mr. Speaker, you are most helpful.

Given that her ministry has suppressed information about the total number of units under rent review in the city of Toronto, given that her ministry, once having given those awards, suppresses the amount of increases, will she now make it public to the media, to the Social Planning Council of Metropolitan Toronto, which desperately wants this information, and to members of this House, so we can see how bad the picture is for rental housing increases in the city of Toronto?

**Hon. Ms. Hošek:** I reject categorically the allegation that we are suppressing any information. The 4.5 per cent figure I used yesterday is a number released by the Canadian Mortgage and Housing Corp. about the average rent increase for two-bedroom apartments in the city of Toronto and Metro Toronto, between October 1986 and October 1987.

The awards issued that the member mentioned contain a series of sections. One section indicates the rent control guideline under which some of the award has been given. If he looks at that piece of paper, it also says how much of an award has been based on capital allocation, how much has been based on financial losses, how much has been based on the various categories under which either landlords or tenants make submission to the rent review commissioner.

The fact that there are several factors is reflected in the information sent to tenants and to landlords, so that tenants know on what basis their rent increase has been awarded and the maximum unit rent they are expected to pay.

#### TRADE WITH UNITED STATES

**Mr. Owen:** I have a question for the Treasurer. The people of Ontario enjoy a publicly funded hospitalization and medical program. That is not shared by the citizens of the United States. It has been brought to my attention by a number of constituents that, in the event the free trade deal does go through, they fear for the Ontario health insurance plan program we have.

They have been advised that some of the industries in the United States pay for part of the premiums for their employees and some pay for all of the premiums of their employees. They say if it is a level field for trade, we have an advantage with our industries which are in competition with their industries. They feel this is unfair and our program for hospitalization is in jeopardy.

I ask for some reassurance from this government that our hospitalization program is not in jeopardy and that we will see it through, no matter what the objections of the United States, if the trade deal does go through.

**Hon. R. F. Nixon:** I cannot think of any circumstances that would jeopardize our national and provincial system of medical and health insurance. I believe it is true that our system is far superior to anything that is experienced in the United States of America and I think many people down there wish they had a system like ours. The idea that we would have to be taken down to that low common denominator for some sort of free trade arrangement is unacceptable now and will be in the future.

**Mr. Owen:** The federal government has the authority to deal with the issue of trade negotiations with other countries, but this government has the authority to deal with health. Hopefully, the people of Canada will have the opportunity to vote and decide whether they want the free trade deal. But should it be accepted and proceeded with and it becomes a shootout between the authority of the federal government and the authority of this provincial government, who is going to win in the shootout and have we received any advice from our ministry officials as to how strong our position is to protect our interests as opposed to what the federal government feels is its obligation to carry it out?



**Hon. R. F. Nixon:** My political judgement, if that is something anybody is interested in, is that if any government in Canada or in the province were ever to suggest that our medicare services in this province, where it is known as OHIP, and elsewhere across the country would be interfered with in any way, that government would lose its authority immediately thereafter.

My own feeling is that we are fully committed to this program nationally and certainly in this province and are very proud of what it has provided. Contrary to what one might have read in the *Toronto Sun* this morning, this party still believes that it should be financed without premiums. In the long run, we feel this province should, in its financing measures, move in that direction.

#### CONVERSION OF RENTAL ACCOMMODATION

**Mr. Philip:** I have a question for the Minister of Housing. According to her own officials, 80 per cent of the rental buildings constructed since 1975 have received municipal approval as condominiums. In my own riding, this represents 47.9 per cent of the rental units that are available. At the present time, hundreds of tenants in my riding are being evicted as these units are sold as condominiums. This is happening elsewhere in the municipality of Metropolitan Toronto.

What is the minister prepared to do to protect the rights of those tenants who are living in those buildings from being evicted on to the street?

**Hon. Ms. Hošek:** The tenants who are living in units that are condominiums are protected by the Landlord and Tenant Act from eviction and that act is, of course, administered by the Attorney General (Mr. Scott). They cannot be evicted unless that apartment has either been sold or someone is taking over that apartment for his own use, under the Landlord and Tenant Act.

**Mr. Philip:** It is astonishing that the minister is so poorly informed. There are up to 200,000 units where the building can be sold at any time as individual units because they are registered municipally as condominiums. That is the major rental housing stock that was built since 1975. The minister does not seem to know that she has her own act that could be revised, an act that is coming up for revision in June, the Rental Housing Protection Act, to protect tenants who have moved into buildings that were, in their opinion, rental buildings and who have lived in those buildings as long as seven years in one case.

Is the minister prepared to bring in the necessary amendments to guarantee that people who have lived in buildings they thought were rental buildings for years and years cannot be evicted simply because the unit is being sold as a condominium?

**Hon. Ms. Hošek:** Indeed, the Rental Housing Protection Act of which the member speaks does come up for review right now. There will be a discussion paper issued and all the concerns he has raised will be part of it. We will be talking to all the people who are concerned about this and will try very hard to protect the interests of tenants, as we have with the current legislation. The reduction in conversion to condos in this city has been more than 85 per cent in Metro Toronto in the first year of the passage of that act, which is an indication that it has been reasonably—

**Mr. Philip:** This isn't conversion. They are already condos.

**Hon. Ms. Hošek:** Under the Rental Housing Protection Act and under its review we will undertake to look at that issue very closely and to make sure that tenants are protected.

1110

#### RENTAL ACCOMMODATION

**Mr. Cousens:** I have a question for the Minister of Housing. Yesterday, the Minister of Housing disagreed with the figures that came out from Canada Mortgage and Housing Corp. with regard to two-bedroom apartments costing around \$1,000 a month. The minister went on record as saying that the average rent of a two-bedroom apartment in Toronto and the Metro area is about \$570 a month.

I did my own survey this morning in the way a person who is looking for a rental unit around Toronto would. I looked in the *Globe and Mail* and found 85 places that have two-bedroom rental units. The *Toronto Star* has quite a few more, and the *Toronto Sun* has some. There may be 500 two-bedroom apartment units in Metropolitan Toronto, and I could not find one unit at \$570 or less per month.

Can the Minister of Housing tell the thousands of people in Toronto who are looking for those \$570-a-month-or-less apartments, two bedrooms or so, where they go to look to find them?

**Hon. Ms. Hošek:** There is in the Metropolitan Toronto area a turnover of about 30 per cent of the apartments. Most of those apartments that turn over at the level that I have been describing turn over at a preferential rate and, in many



cases, turn over to people who have been on waiting lists waiting for them.

The average rent that I talked about yesterday is there, but that, I know, is small comfort to the people who are doing what the member opposite did, which is looking in the newspaper for those apartments which are actually vacant. That is small comfort, and we know that.

That is the reason this government, unlike any previous government in this province, has been putting so many resources into the provision of affordable housing. This problem has not arisen overnight. It has been going on for quite a while. We are working very hard to make a difference, and that is the reason we put the resources we have into increased construction of affordable housing in this province.

**Mr. Cousens:** I challenge the Minister of Housing to find one rental-unit two-bedroom apartment in Metropolitan Toronto at \$570 or less, because that is the kind of thing she is talking about. The vacancy rate, according to Canada Mortgage and Housing Corp., in Metropolitan Toronto and area is 0.01 per cent. The vacancy rate of those apartments at \$570 a month or less is virtually zero. There are none, and as the minister has already admitted, there are going to be thousands more people coming into Toronto with the new office towers opening up and the new industry expanding.

I therefore ask the minister, what is her target for the vacancy rate in Metropolitan Toronto for 1988?

**Hon. Ms. Hošek:** I am surprised the honourable member opposite thinks that finding one apartment at \$570 is going to help all the people in this province who need affordable housing and who are the people I am most concerned about.

I do not know to whom he has been talking, but I have been talking to the tenants in this area. I have been talking to people who have great difficulty finding affordable housing, and I am extremely concerned about the situation they are in. That is the reason I know the commitment we have made as a government is a very important one.

But I will not rest on that. I do not think that is enough. We will have to do more. That is the reason this government and this minister are committed to making sure we do more than we have already said we will do to make sure that people in the Toronto area can find a decent and affordable place in which to live.

I will not rest at finding one apartment. I will not rest until the people in this province have decent, affordable places in which to live and no

longer worry about finding reasonable accommodation.

**Mr. Cousens:** Mr. Speaker, a point of order—

**Mr. Speaker:** On what?

**Mr. Cousens:** The minister does not have any target to achieve any results this year.

**Mr. Speaker:** Order. The member asked the question and the supplementary.

#### GREENACRES HOME FOR THE AGED

**Mr. Beer:** My question is to the Minister of Community and Social Services regarding Metropolitan Toronto's Greenacres Home for the Aged, located in Newmarket. There is continuing uncertainty and concern at Greenacres regarding the exact plans which Metropolitan Toronto has for withdrawing from this institution.

Can the minister tell the House what direction his ministry has given to Metro to develop a clear plan so that staff, residents and families of residents can understand what is going to happen and can plan for their future?

**Hon. Mr. Sweeney:** About mid-December, I sent a letter to Mr. Wells in York region and Mr. Picherack in Metro Toronto region indicating that I wanted a clear plan for the two regions with respect to Greenacres. I have particularly asked Mr. Picherack to have Metropolitan Toronto's plan available to me by the end of this month, because the employees of Greenacres are in fact employees of Metropolitan Toronto.

It is clear that the total number of residents currently at Greenacres will not be the same number that will be there in subsequent years, over the next three or four years, because we have indicated that only the west wing will continue to be used as a residential facility and it has a limit of approximately half of the current residency. Therefore, it is expected that Metro Toronto, which is the employer of the staff currently working at Greenacres, will have a plan available for itself, which it will share with us, share with York region and share with the staff, as to what opportunities for employment are going to be available to the staff people who will not stay at Greenacres.

**Mr. Beer:** As the minister knows, it is most unfortunate that York region is the only region that does not have a regional health council. I think the existence of such a council would have helped us a great deal in the planning with respect to Greenacres.

In his ministry's discussions with York region regarding the future use of Greenacres, including



the two wings, and in the discussions regarding the future plans for the region's own York Manor Home for the Aged, will the minister ensure that this review includes an examination of both residential and nonresidential service requirements for seniors throughout York region, and will he also ensure that community groups, health care professionals, volunteers and others are included in that review?

**Hon. Mr. Sweeney:** We had a meeting with the elected members in York region and with their professional staff about nine months ago, trying to determine clearly from them what their long-term goals and plans were with respect to senior citizens' services.

Their present manor in the north end of the region is simply not going to be adequate for all of their future needs. We have indicated that we are prepared to work with them to renovate that manor, to develop a new service in the southern end of the region and to incorporate the existing Greenacres, or at least the west wing of Greenacres, as part of that overall plan. There will be part of Greenacres buildings still left that could possibly be used for other purposes; that has not been determined yet. But what we are asking York region to do is to consider it as part of the overall plan, particularly for seniors' services and perhaps for other services as well, so that both the north and south ends of the region will be able to meet the needs of their senior citizens.

#### ROLE OF MINISTER OF LABOUR

**Mr. Mackenzie:** I have a question for the Premier. A perusal of the disclosure statements would indicate that the Minister of Labour (Mr. Sorbara) has substantial interests in construction and development companies. The Occupational Health and Safety Act exempts construction sites from mandatory health and safety committees and only two of the major sites in the province, SkyDome and Scotia Plaza, have such committees.

Does the Premier not feel that the minister has a substantial area of conflict in this particular area?

**Hon. Mr. Peterson:** No, I do not.

**Mr. Mackenzie:** I then say to the Premier that this is one of the most important issues facing the province, the health and safety committees. Construction workers have been fighting hard, and so far unsuccessfully, to obtain by legislation mandatory health and safety committees on work sites. The construction industry has almost unanimously opposed this and tried to maintain

the status quo. Surely the Minister of Labour, either in his ministry or in cabinet, has a conflict in this particular issue. What is the Premier prepared to do about it?

**Hon. Mr. Peterson:** I do not agree with the honourable member and neither does the commissioner.

1120

#### ABORTION SERVICES

**Mr. Eves:** I have a question for the Minister of Health. It is perhaps appropriate that we are meeting this morning, as resolution 11 was supposed to be debated in the Legislature this morning. The resolution of the government member for Nepean (Mr. Daigeler) reads:

"That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the federal legislation."

Does the minister agree with this resolution?

**Hon. Mrs. Caplan:** Let me respond to the member in this way and give him the information which will help him in his confusion on this matter, and that is that the federal legislation requires that a therapeutic abortion committee of medical practitioners determine whether or not a therapeutic abortion is warranted.

**Mr. Eves:** As I expected, the minister totally circumvented the question that was asked. We want to know—

**Hon. Mr. Bradley:** Are you voting for or against this?

**Mr. Eves:** You will find out when I speak on the resolution, if you ever bother to bring it forward.

Will the minister tell the House and the people of Ontario where she and her government stand on this issue, and will she today dissociate herself from the political posturing of her member opposite?

**Hon. Mrs. Caplan:** Both my position and the position of the government on this very sensitive issue are clear, and that is that we support the federal legislation and we have moved to ensure access for the women of Ontario to needed therapeutic abortions in accordance with that legislation.

**Mr. Daigeler:** I am very thankful to the member for Parry Sound (Mr. Eves) for his interest in my motion.

#### HOMEMAKER PENSIONS

**Mr. Daigeler:** My question is to the Minister of Financial Institutions. I was pleased to hear the minister mention yesterday in this House that an ad hoc group associated with the provincial treasurers and the Minister of Finance is presently looking at the possibility of homemaker pensions. As the minister knows, I am very interested in the subject. I have recently received a very useful report on pensions for homemakers, prepared at my request by the legislative library. According to this paper, the results of the federal-provincial discussions should be available soon or have already been communicated to the minister.

Can the minister share with this House any information he has on where the committee is in its deliberations, and can he elaborate for the benefit of the new members on his own position with regard to homemaker pensions?

**Hon. R. F. Nixon:** The ad hoc committee that is to advise the treasurers meeting with the Minister of Finance meets three or four times a year. As I recall, it was at the December 1985 meeting that the matter of homemakers' pensions was raised, I believe by myself in conjunction with the other treasurers. Rather than make any sort of statement from that group, it was decided that a special group of officials would look at the ramifications as far as their impact on Canada pension plan financing would be set up.

We have not had a report from that group as yet, but since it was established in 1985, I presume that its review must be near completion and, as treasurers, we would be provided with the information of the impact on the Canada pension plan.

**Mr. Daigeler:** While I appreciate the fact that the treasurers are looking at this question, I would also be very interested to hear how the Ontario Treasurer is looking at that question, whether we can count on his support for this question or whether he sees any particular difficulties with this matter.

**Hon. R. F. Nixon:** I see lots of financial difficulties, but I should be able to tell the honourable member that at the discussions among the treasurers, speaking as Treasurer of Ontario, I spoke positively, in favour of it, and it was partially at my behest that this further review has been going forward.

#### ONTARIO HYDRO

**Mr. Charlton:** I have a question for the Premier. The Premier will recall that in early October his newly appointed Minister of Energy (Mr. Wong) expressed in a media interview serious concerns about Ontario Hydro's debt and the operation of its financial structure. A few weeks ago, in response to a question by me, the minister stated that he no longer had those same concerns about the Hydro debt and the financial structure because of a brief meeting he had had with Hydro officials.

The Premier will be aware that Hydro has now announced it is going to have to write off \$100 million of investment in a West Virginia coal mine and that it will have to recover that write-off by the purchase of low-cost, high-sulphur US coal over the course of the next five years.

Does the Premier find that an acceptable solution to this bad investment by Ontario Hydro and, specifically, can the Premier tell us what his government intends to do about its long-touted moves to take control of Ontario Hydro and its financial structure?

**Hon. Mr. Peterson:** Ontario Hydro, being a crown corporation and independent, I assume made an independent business judgement with respect to the write-off of the West Virginia coal mine. I read about it, as my honourable friend did, and I assume perhaps he is arguing they should keep it open. I have no idea. The member may have had some information.

**Mr. Wildman:** They should not have invested in it in the first place.

**Hon. Mr. Peterson:** The member can say they should not have invested in it; he may be right. We should not invest in a lot of things around here perhaps. I appreciate the honourable member's advice on that matter.

With respect to the second question my honourable friend raises, the Power Corporation Act is currently under very active review and we expect—I cannot be precise on this—to be in a position, hopefully in the reasonably near future but, again, I cannot be precise, to present amendments to the Power Corporation Act for a thorough discussion of Hydro in this House and, of course, using a select committee as well.

**Mr. Charlton:** This investment and this write-off are just another reflection of Ontario Hydro's serious problems in its long-term planning process. It is also a reflection of a bad investment in terms of sensitivity to the environmental concerns in Ontario for Hydro to have



made this investment in the late 1970s in a high-sulphur-coal deposit.

The Premier has said on a number of occasions that Hydro is out of control and has to be brought under control. Last month Hydro tabled its demand-supply options study, a study which, when the decisions are made around that study, will carry us through the next 20 years in this province. The Premier and the minister have said that study will be referred to the select committee, which has already done that job once, a year and a half ago.

Will the Premier commit to this House today that that study, which could get us into the same kind of messes again over the course of the next 20 years, will be referred to full public hearings before the Ontario Energy Board?

**Hon. Mr. Peterson:** Obviously, this province and Ontario Hydro are going to have to make some major decisions about the future over the period of the next few years. Obviously, we would want to get the widest possible advice in having those discussions.

It seems to me that a select committee of this House is as public a forum as one could have. It has the ability to call witnesses, bring people in and have public hearings. Obviously, we want the advice of the public at large as well as the experts in these matters.

I am certainly willing to consider various options that people have, but it seems to me that a select committee is, in a sense, the most democratic forum possible to discuss these things.

#### FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

**Mr. Jackson:** In the absence of the Attorney General (Mr. Scott) and the Minister of Education (Mr. Ward), I have a question for the Premier. It concerns the Freedom of Information and Protection of Privacy Act, which came into effect on January 1, 1988.

I have in my possession a document from Bernard Shapiro, the Deputy Minister of Education, to all school boards in Ontario. The memorandum is dated November 5, 1987, and it tells school boards that at the age of 16, the consent of a student in Ontario is required for access to his personal information, which includes his truancy record, his report card and other sensitive matters. It cannot be given to his parents unless they have the permission of the student. This means that parents will need their child's permission in order to have access to this delicate information.

Will the Premier agree to amend this piece of legislation so that parents will have access to their child's academic record and have access to their child's truancy record, so that they do not discover after two months that their child has not been going to school and other sensitive matters that are important to their attendance for 16- and 17-year-old children in this province? Will the Premier amend the legislation?

**Hon. Mr. Peterson:** I can take it up with the minister, but I cannot give the honourable member any guarantees.

1130

#### PETITION

##### THERAPY FOR ABUSED CHILDREN

**Mr. M. C. Ray:** Mr. Speaker, I have a petition addressed to the Legislative Assembly, again another calling upon the government to legislate as mandatory present discretionary programs for child abuse treatment which are offered and funded by children's aid societies. It is signed by 250 residents of the city of Windsor in the county of Essex.

#### INTRODUCTION OF BILL

##### PLANNING AMENDMENT ACT

Mr. Jackson moved first reading of Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property.

Motion agreed to.

**Mr. Jackson:** This bill, in both official languages, is designed to ensure that related and unrelated persons who occupy residential property will be treated equally under municipal zoning bylaws. The bill will, among other things, operate retroactively to eliminate exclusionary bylaws now in force in at least six university cities in Ontario.

#### ORDERS OF THE DAY

##### MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act.

**Mr. Speaker:** I am advised we are in the process of comments and questions having been asked by the member for Cochrane South (Mr. Pope). Under the circumstances, I will ask if there is any further debate.

**Mr. Reville:** A number of members of my caucus have already spoken in support of the concept of direct elections in Metro and clearly we are delighted to see this bill come forward and think that it should be dealt with expeditiously in committee so the legislation can be passed, I hope, during the week of February 8, so the people who are interested in municipal politics can plan their futures.

We do urge, however, that when the minister is reviewing the boundaries that the municipal councils have drawn for themselves, pursuant to the legislation, and as the minister will know that exercise is under way currently—

**Mr. Speaker:** I am sorry to interrupt the member's train of thought. However, there are a number of private conversations that make it difficult to hear what is being said. Thank you.

**Mr. Reville:** As I was saying, and to try to retrieve my train of thought—sometimes it looks like strain of thought—municipal politicians are currently looking at what kinds of boundaries they should have in order to comply with the legislation.

If I can get the attention of the minister, I want to make sure particularly that he hears what I have to say next. Under the legislation, I understand the minister will approve the boundaries, at least until after the 1988 municipal elections, at which time a municipal board hearing could review boundaries that are in question.

When the minister is reviewing the boundaries that are submitted to him by municipal councils, will he keep in mind these few criteria: That there be an equal number of wards per Metro boundary. For example, in the city of Toronto, there are going to be eight Metro wards; therefore, the number of people who run within those Metro wards to sit on city council should be equal. That would be two in the case of the city of Toronto and in the city of North York. I understand it is three in the city of Etobicoke.

Clearly, the minister will be aware of the danger of approving any strip wards. The province had trouble for many years with long, skinny wards. I think the minister will agree that strip wards are to be avoided in approving municipal boundaries. The other obvious criterion is that there be no wide variance in the number of electors per ward.

I think the matter has had a full and frank discussion already in the Legislature. I just wanted to bring up those few criteria and commend them to the minister. I hope he will apply them as he reviews the boundaries. May I

say in closing that we are still very eager to see what we believe is the companion piece of legislation that deals with the question of election finances at the municipal level. We look forward to the minister tabling that legislation in the very near future.

**Hon. Mr. Eakins:** I appreciate very much the comments of my colleague with regard to the boundary proposals. I want to report to the members that all area municipalities are currently working on proposals for the establishment of the Metro wards and, where necessary, adjusting those local wards. Public meetings are being planned for this month in, I believe, all the municipalities.

In the city of Toronto, a special committee was established. Advertisements for public meetings will be run this week and the school board is being consulted. Similarly, in the city of Scarborough, the mayor and council have written to indicate they have no problem with the timing of the bill or the ward distribution. In the city of York, a special committee composed of representatives from ratepayers' groups, business groups and two members of council was formed. School board representatives were invited to attend the next meeting of the special committee.

In the city of North York, council established a committee to deal with the issue there. Public hearings of council will be held on January 25. The North York council is determined there will be no changes to the numbers and boundaries of existing local wards. In the city of Etobicoke, the staff have developed a proposal under which the boundaries of the four provincial ridings would be used to define the Metro wards. Three local councillors for each ward would be elected. In East York, the borough of East York is one Metro ward and a reduction in local council size may be considered.

To my colleagues and my critics, I want to say things are moving ahead well in regard to direct election to Metro council. I suppose my only disappointment is that this bill is going to be held up in going to committee; but in spite of that, anyone who wants input can appear before that committee and we will welcome the input. Following that, I look forward to receiving the full support of the House in order that this might pass and be in place for the elections this year.

Motion agreed to.

Bill ordered for standing committee on general government.



## MINISTRY OF COLLEGES AND UNIVERSITIES AMENDMENT ACT

Hon. Mrs. McLeod moved second reading of Bill 58, An Act to amend the Ministry of Colleges and Universities Act.

**Hon. Mrs. McLeod:** I have introduced for second reading an amendment to the Ministry of Colleges and Universities Act. This amendment affects subsection 8(1) of the act and proposes to delete the words "in Ontario" from line 8 of this subsection. This will allow extension of Ontario student loans to Ontario residents studying outside the province.

An allocation of \$500,000 has been approved to service loans issued to students studying outside the province. This figure has been included in the total budget for the 1987-88 Ontario student assistance program.

At present, student loans may be guaranteed only to students enrolled in Ontario colleges and universities, whereas Ontario study grants are portable outside the province. This amendment will remove this discrepancy, to the benefit of many students. It also makes Ontario's system more consistent with other provincial assistance programs. The change will increase accessibility for more students to financial assistance.

**Mr. R. F. Johnston:** Our party will be supporting the amendment to the Ministry of Colleges and Universities Act which will allow for this extension of Ontario student loans, but I do want to make a few comments about the proposal itself and the context within which one should view this.

We have a system of student loans which has been revised from time to time over the years but which is still discriminatory, in my view, anachronistic in many ways and does not meet the needs of students trying to attend the university system.

I think all one has to do is to look at who goes to university and who has access to our post-secondary institutions today to understand how exclusive those institutions still are in general in terms of who goes and who cannot go. It is very unusual for working-class families and poor families in the province of Ontario to have children who can attend post-secondary institutions.

When one looks at the reasons for this, there are many that one should not just dismiss out of hand in terms of the many problems around poverty and low income that make it difficult for people to make those kinds of decisions: whether it is the fact that from a very early age many of these kids work and spend most of their time

outside of the classroom; whether it is the various pressures that are on them to appear like middle-class kids when they cannot, during the secondary level of education, and they are then among the highest dropouts within the system; or many other factors to do with health, nutrition, etc.

However, one cannot ignore the fact that one of the primary reasons for lack of attendance is their monetary capacity to do so, and one of the reasons for that is the way the Ontario student loan system has been structured over the years.

I would hope that instead of just coming forward with this very minor adjustment to the Ontario student loan approach, this Liberal reform government would finally revamp entirely the Ontario student loan assistance program in ways that will make it much more permissive in terms of people's ability to attend.

I have written to the minister on a couple of occasions already about some of the strange anachronisms. For instance, a couple who just got married were helped to gain a house by their parents with a very small down payment for it. The house is worth about \$100,000, but the bank owns \$99,000 of it. But the ministry determines that they have assets of \$100,000 and therefore are not eligible for student loans. They could instead be off in their apartment someplace paying \$1,000 a month rent and would be eligible for a student loan, even though any bank in the province of Ontario would tell them that their asset is more like \$4,000 or \$5,000, not the \$100,000 total that the student loan program in Ontario has.

This is just one particular example that comes to mind, because I received a letter from the minister or from her minions on it the other day indicating that there was no likelihood of any change in policy to understand that just because you happen to have chosen the route of trying to own a home and pay a mortgage, you should not be penalized in terms of your attempt to get student loans.

Interjection.

**Mr. R. F. Johnston:** I am being interrupted by the member for Yorkview (Mr. Polsinelli). I am sure he would like to say something.

**The Acting Speaker (Miss Roberts):** I assume the member for Scarborough West will forgive the member for Yorkview. He will have time for comments and questions as soon as you have completed.

**Mr. R. F. Johnston:** Thank you. There are any number of things that are wrong with the system, many larger than this whole question of



what are assets or not assets. I want to make a few comments about education these days, at the university level specifically, and why this change to enlarge the student loan application is a good thing.

The first would be that I think there is a real trend in university education these days for people to go to a university close to where they live and for regionalization of higher education to be a major factor. I think of places like Trent University, Brock University and Laurentian University. If we look at their student profiles, we notice that the vast majority of the students attending those institutions come from the areas immediately surrounding the universities. There is a sort of catchment approach, such as they have for hospitals or whatever.

When we think of that in terms of what one hopes will come out of a university education and the fact that we have a number of universities which offer very different kinds of approaches to courses and emphases on various kinds of programs around Ontario and around the country, this is an opportunity for an opening of the mind, a time to move away from the home, to move into full adulthood, to exercise the brain and to learn how to think in ways which will be helpful to our society in the future. It seems to me that an action which makes it easier for students to be able to travel to other parts of the country to study is a good thing and one we should be pleased to have, to see and to finally recognize in terms of the loans component of the Ontario student loan plan.

For that reason, I am very pleased to think that this will facilitate kids from eastern Ontario to go to Quebec to school or people in northwestern Ontario to go to Manitoba, or whatever kinds of options might be available. But I also hope it will make it possible for a student from Toronto to be able to go to the University of British Columbia and that it is not just going to be something which is in a neighbouring jurisdiction as a sort of slight extension of the catchment area.

One thing I find interesting, and I would love to hear comment from the minister, is just how this affects the student who is leaving the country and wants to get a student loan. We already have over 15,000 students studying in American institutions at this point. Is this something which is going to be increased because they are now going to have a capacity to get student loans to be able to go to American institutions, or is this something which is going to be available only to students going to other institutions within Canada?

I am sure the minister has now had time to find the report which was kept from her by the Minister of Industry, Trade and Technology (Mr. Kwinter), which I am sure he did not mean to do. Since her ministry, the Ministry of Education and the Ministry of Skills Development have all been involved in the promotion of this look at the effects of free trade on higher education, I wonder if the minister has thought at all about what the implications of bringing in this kind of amendment at this time may be in terms of the free trade deal.

Is this something which in fact is going to foster the exportation of more of our students to the United States for their studies? Is it going to be something which again is going to add another level of difficulty to our Canadian and Ontario institutions competing with American institutions for our students? If this is the case, I am wondering if the minister has thought about what the ramifications of this might be.

Yesterday in the House I was raising the whole question of branch plants of American institutions, like the University of Niagara or the University of Central Michigan coming into Ontario and providing masters' degrees—and doctorates now as well, I gather—to students who cannot get entrance into places like the Ontario Institute for Studies in Education or other institutions in the province to get the same kind of graduate course. There has been a proliferation of these programs over the last little while.

I am very concerned that perhaps what we have happening here, unwittingly, is an extension of support to students to move outside our jurisdictions, to look at more options and flexibility in provision of services than are provided here in Ontario, rather than looking at how we make our Ontario universities and post-secondary institutions more flexible and more able to deal with the kinds of educational needs being identified by community college teachers and high school teachers who want upgrading in Ontario but are not eligible for it under the present strictures in Ontario.

**1150**

I would say to the minister that we welcome the notion that there should be free trade amongst universities in Canada. That is a good thing. It is something we should move towards. But I wonder if, at the same time we are doing that, we are not now setting up a situation where we are going to be enhancing the likelihood of more students making a choice of moving to the United States for courses.



In that connection, I would ask the minister, if this is not the case, if she does not feel this applies to American universities, could she make comments? Could she make some comments about how she thinks this kind of motion will be accepted by the Mulroney-Reagan free trade deal? Is it going to be considered something which is discriminatory against institutions of higher learning in the United States and students who may wish to go to the United States as a result of that, because it does not speak specifically to their needs?

Has the minister done what I wanted her to do yesterday, to set up something which will be a challenge to the Mulroney-Reagan free trade deal, that is to say, "Yes, we think there should be free trade within Canada for students to be able to move to institutions around the country, but we do believe it is our choice as a province to decide we do not have to do that with a neighbouring state"?

I would be very interested to hear the minister's comments in her response and wrapup about what the effects are going to be regarding the movement of students outside of Canada as well as within Canada.

**Mr. Henderson:** I value the insightful comments of the member for Scarborough West. I think there would be lots of agreement that economic and other material factors ought not to stand in the way of students who want to attend colleges and universities.

The fact that young Ontarians from working families are less likely to attend, or in fewer numbers, colleges and universities may be to some extent a question of economics and other material considerations. It is probably also to some extent a question of the kind of ethos and psychological rather than material support those young people sense from their families.

Probably most people would agree about that too. The question is, how much of each? I wonder if the member has thought about that. To what extent does he think that question of family ethos and sociocultural milieu and social reinforcement play a part? Has he any ideas as to what one ought to do about that?

**Mr. Polsinelli:** I would like to take this opportunity to respond to some of the things the member for Scarborough West was saying, particularly the example he was using.

While the member for Scarborough West generally makes eminent sense, in this particular example he has probably been led down the garden path, when he says officials at the Ontario student loan plan will look at a young couple

which owns a \$100,000 home and has only \$1,000 of equity in that home as having a \$100,000 asset.

I can speak from personal experience of not too many years ago when, as a young married man, I owned a townhouse condominium. I applied for an Ontario student loan to be able to attend university. I remember quite distinctly that part of the application was such that they asked what the approximate value of your home was, what you owed on your home, what your debts were, what your liabilities were, and then they took the net difference.

They do it similarly to a bank. They do look at the approximate value of your home, they do look at the liabilities you have on your home, and then the difference in that is what your assets are, what you are worth. That is what they take into consideration.

I say to the member for Scarborough West that unless they have changed the rules within the past three or four years, because that is how long ago I graduated from law school, there is nothing wrong with the system they were using then.

**Mr. R. F. Johnston:** Just to respond to my friend from Yorkview, I will be glad to enlist his assistance, therefore, with the ministry with this particular case, to share the case with him and make him understand that perhaps things have changed or somehow he slipped under the net in the past. It is always remarkable to me how young some members of the Legislature must be these days to have graduated only three to four years ago. It is quite remarkable, I must say.

I would like to take a couple of minutes to comment to the member for Etobicoke-Humber (Mr. Henderson), if I might. Yes, I agree totally that there are many social and psychological impacts which are as strong as are the direct economic impacts on kids from working-class families going to higher education. I think these things start to show themselves in prekindergarten: a lack of attendance; the problems of families providing supports in an inner-city school to the kid as he is trying to learn in the public school system; and the streaming system that we have in Ontario, done at such an early age, also helps to reinforce this problem.

The solutions to it are not the kinds of things I can really talk to in the 48 seconds that are remaining, but I think they must refer to an awful lot of extra supports that must be provided to poorer-income families in inner-city areas especially, or wherever they may be, to assist them to understand the aspirations of their children and to



try to be more open and more helpful in allowing them to move forward.

I would remind members that the members of the French Canadian community in Ontario attend post-secondary education institutions at about 40 per cent of the rate of the rest of us and that our native Ontarians attend almost not at all.

**Mr. Jackson:** It gives me great pleasure to rise and, on behalf of my party, give support to this bill. The Progressive Conservative caucus supports this legislation. We support the bill because it brings Ontario student loan practices with respect to students who study elsewhere in Canada into line with the practices of other provinces, such as British Columbia, Quebec and Alberta.

We support the legislation because it brings eligibility for Ontario student loans—one part of the total Ontario student assistance program package—into line with the other major components, namely, Canada student loans and the Ontario study grants, and we support this bill because it is consistent with the principle of mobility rights for all persons now enshrined in the Charter of Rights and Freedoms.

But it would not be honest if I did not point out that there is a sense of disappointment, real disappointment, that greets this piece of legislation. Given the problems facing students in our province and given the problems which have plagued the OSAP system for many years, quite frankly, I am disappointed that this small bill is all that the minister has seen fit to bring before the House in her first term.

It cannot be said that there has been a great outcry for this piece of legislation. Indeed, in my role as the Education critic for the Progressive Conservative Party, I have heard a lot of complaints about the current OSAP system and I have listened to a lot of students with proposals for change, but this bill seems to ignore many of those concerns.

We are told by the ministry's student awards branch, in a memorandum dated November 16, 1987, "The amendment is a clear and high priority." Quite simply, it seems that the high priorities of this government are not the same as those of the students of Ontario. We endorse this bill, and we support its effect on our student assistance program, but Progressive Conservatives believe there are higher priorities.

The minister has met with the Ontario Federation of Students, which represents 200,000 students across the province. No doubt she listened to their concerns, but if this bill is all she has to offer after nearly four months in office,

then clearly she is not willing to act on these concerns.

**1200**

What do students see as high priorities for OSAP? What are they saying? They have identified three major issues: their debt load, the OSAP formula and the grant eligibility periods. These are the greatest student concerns; these are their high priorities for OSAP, and the minister will know this after her meeting with the Ontario Federation of Students chairman, Sheena Weir. Yet this bill, which the ministry calls its high priority, addresses none of the three real and pressing priorities of the students of this province.

Debt loads continue to burden students once they graduate from post-secondary institutions. The average debt of a student graduating eight years ago was \$1,500; three years ago that figure was \$5,300, an increase of over 250 per cent. The Ontario Federation of Students estimates that by the time they graduate, students who start school this year will face an average debt burden of \$12,800. Since this figure includes those students whose total debt is zero, many students will face debt loads which greatly exceed that figure. The government has extended the pay-back period from seven to 10 years for larger debts, but this still does not address the real problem.

Today this bill, the minister's high priority, does not even address the serious repayment problems faced by our graduates. This bill makes it easier for an estimated 3,000 students to get deeper into debt, but offers no assistance in getting out of debt.

Likewise, this bill fails even to mention the very real and very great problems associated with the OSAP eligibility formula. Students have complained that the maximum allowable deduction of just over \$100 per week in personal and living expenses is simply inadequate. They are correct: \$100 a week is not even enough to pay for decent housing in any city in Ontario. Remember that students in cities such as Waterloo, Mississauga, Sudbury, London, Kingston and Guelph face exclusionary bylaws which prevent them from sharing space to cut expenses.

All three parties told the OFS during the recent election campaign that they opposed these exclusionary bylaws, but to date there has been no action. Students at the University of Western Ontario last month paid tens of thousands of dollars to challenge London's city bylaw before the Ontario Municipal Board. They could have



saved themselves the cost had this government, with its 95 seats, decided to act on its campaign commitment and honour its promise.

The Minister of Colleges and Universities (Mrs. McLeod) could have spoken to the Minister of Municipal Affairs (Mr. Eakins) on behalf of the students of the province. She could have asked him to introduce amendments to the Planning Act in order to prohibit exclusionary bylaws; yet she did not. All she has done is to introduce this high priority but tiny bill.

The minister, together with her colleagues the Minister of Housing (Ms. Hošek) and the Minister of Municipal Affairs, could have decided to issue a policy statement under section 3 of the Planning Act, a statement against exclusionary bylaws. The act would then force all municipalities to have regard to the statement whenever they pass a new bylaw.

By issuing such a policy statement, a simple statement like that, this government could have lived up to its election commitment to students who want to share accommodation to reduce their costs. Instead, nothing. Is it any wonder, then, that \$106 per week is not enough to cover personal and living expenses, given the student housing crisis, about which the Liberal government is neglecting to do anything? OSAP quite clearly underestimates the costs which students face and then calculates their grants and loans accordingly.

The Liberals have also failed to deal adequately with the inequity which results when the OSAP formula for parental contributions is applied to farm families. For years students and MPPs from rural Ontario have complained that OSAP's consideration of farm assets unrealistically inflates the estimated amount which farm parents can contribute to the post-secondary education of their children.

In fact, on April 16, 1985, in a statement entitled *A New Deal for Ontario Farmers: Ontario Liberal Party Agricultural Policy*, the then Leader of the Opposition, now the Premier (Mr. Peterson), released a 22-point program. Point 21 read as follows: "Change the present system under the Ontario student awards program to fairly reflect the real ability of farm parents to contribute to their children's post-secondary education."

The minister's response has been to treat farm assets at only half their value with a proviso that this would apply only when 95 per cent of the assets were tied up in the farm business. That is a step in the right direction, but it is still not enough to improve access for these students. As my

colleague the member for Stormont, Dundas and Glengarry (Mr. Villeneuve) will be able to tell members, farm families in this province will not be satisfied until income is the only factor and farm assets are not taken into account at all.

Still dealing with the eligibility question under the Ontario student assistance program, we should note that the graduate students still do not qualify for the Ontario study grant component of OSAP. Grants may only be given for eight terms of study, which is generally considered to be four years in length. Since most graduate students are in at least their fifth year of post-secondary study, they do not qualify for these grants.

Dealing with this issue could have been a step forward for the new minister, yet she has chosen to take this bill and make it her high priority. I am confused by the logic of making this bill her major effort. It seems likely that it will be graduate students who will be those most likely to benefit from this bill. After all, graduate students, having reached a certain level of specialization, often find that there is only one university in all of Canada which can possibly accommodate all their needs.

If the minister really wanted to deal with the special needs of graduate students, she should have and she easily could have extended the grant eligibility periods. If the government wants to do something for graduate students, it should extend the grant eligibility period beyond eight terms. That step, and not this little bill, would be a real step for the graduate students of Ontario.

These three issues of greatest concern to students—debt load, OSAP eligibility formula and the eight-term grant eligibility period—have not been addressed by this bill. Instead of really attacking the problems with the OSAP system, instead of making real changes that would amount to a serious benefit to our students, the new minister has chosen but to fine-tune or adjust this one element of the program.

Not only does this bill fail to address the concerns of students, we must not forget that the Provincial Auditor also has grave concerns about the manner in which the OSAP system functions. The auditor noted on page 46 of his report, "The estimated income of students reported on application forms was generally not verified by the ministry." One would think the ministry would have automatically checked every application against the student's income tax return, but this verification, until the auditor's report, was done only on a test basis. Even now, only independent students will have their applications checked



against their income tax returns. That is simply not good enough.

The auditor also has choice words for the carelessness with which this government deals with the market values of parents' houses, as reported on application forms. These comments are contained on pages 46 and 47 and are worth quoting:

"The market value of houses reported on application forms was generally not verified by the ministry. To test the reasonableness of such information, we compared a sample of market values reported to average prices of houses sold on the same street around the same time as the date of the application form. Our test indicated that market values were understated in about 70 per cent of the applications reviewed.

"Findings of particular interest were: Market values of houses on many applications were understated by at least \$100,000. Two applications had market values of houses in Metropolitan Toronto at less than \$6,000, while houses on the same streets sold for more than \$120,000. The market value of one house was stated as \$30,000; four months prior to the application date the house had been purchased for approximately \$130,000."

This report goes on and on. My point here, very simply, is that if the ministry really wants to improve the OSAP system, there are many more important places to begin. The minister should listen to what students are saying. She should read the Provincial Auditor's report on the 100-odd problems with the OSAP system. This new minister has addressed with this bill not a single one of those problems I have just raised.

In a way, I have a certain sympathy for the new Minister of Colleges and Universities. After all, a lot of things are outside of her control. Her colleague the Minister of Skills Development (Mr. Curling) never told her that he was sending up to 26,000 older laid-off workers who will be participants, they say, in the Transitions program to apply for OSAP, so that these unemployed workers, 45 years of age and up, can have some sort of income support while they are on a retraining program.

**1210**

Her colleague the Treasurer (Mr. R. F. Nixon) tightened the purse-strings so that she was forced to announce transfer payments for 1988-89 that were completely inadequate to meet the needs of our colleges and universities, a view concurred in by groups as diverse as the Ontario Confederation of University Faculty Associations, the

Council of Ontario Universities and the Ontario Federation of Students.

We realize that the seating arrangements across the floor reveal the priorities of the Premier: Education and Housing are now in the third row, while the Ministry of Colleges and Universities ranks fourth-row seating. Despite this, despite the lack of co-operation and sensitivity from her cabinet colleagues, I urge the new minister to rise to the challenge facing post-secondary education and to effect real and positive changes to the system.

We will support her in this bill but we do so with the understanding that this government can and should be doing much more. It could be doing more to correct the many problems with the Ontario student assistance program. It could be doing more for students. It could be doing more to meet the financial needs of our post-secondary institutions.

We will support this tiny change to the Ministry of Colleges and Universities Act but we remind the minister and we remind this government that much, much more work remains to be done.

**The Acting Speaker:** Are there any comments or questions on the remarks of the member for Burlington South?

**Mr. Villeneuve:** I have a few comments, particularly in the area where my colleague the member for Burlington South touched on farm youth. Many of our young people from farms want to go on to higher education and I run into many areas where they are not being granted the OSAP assistance I feel they should have.

My colleague touched on market values of homes being greatly underestimated. I suggest to the minister that the reverse is true in farming operations. In the last three years, we have had a reduction in market value of our farms in some areas in the order of over 50 per cent. Many of our farmers have not adjusted their bookkeeping and their thinking to that fact and are still reporting the market value of their farm properties as higher than the market could bear.

Some of our young people from a farming background come back home in early May, spend the summer on the family farm doing the work that has to be done, putting in the crops, putting in the hay, harvesting and what have you. They are probably working for a very small salary and the use of the family car. Because they are working for their parents, they are not eligible for the \$1.25 subsidy from the Ministry of Municipal Affairs. This is very, very unfair to the rural youth of Ontario.



I support Bill 58, but I ask the minister to look at the areas that affect our rural young people. They do need the same opportunities as our urban friends to obtain a good post-secondary education.

**Mr. Speaker:** Are there any comments or questions? Does any member wish to participate in the debate? The minister may wish to wind up or wind down.

**Hon. Mrs. McLeod:** I appreciate the contributions the honourable members have made to the debate on this bill. I would like to recognize that although it is a relatively small amendment in essence, in many ways a housekeeping kind of change, it is a very high priority because there are expectations on the part of real students with real financial needs attending universities and colleges outside the province of Ontario to have some assistance. It is a priority for us because we are anxious to meet those expectations and to be able to provide that kind of assistance, so I would not apologize in any way for such a small amendment ranking as a priority for my ministry.

I recognize, however, that it is not solely through the legislative route that we are addressing the concerns of the Ontario student assistance program. The members will be quite well aware that in the most recent throne speech we made an announcement of some further \$5 million in improvements to the Ontario student assistance program. We can improve and we have regularly been improving this plan through routes other than the legislative one. As we recognize this as a small amendment, we must also look at the great number of changes to the OSAP provisions that have been made.

Having said that—and I recognize that the honourable members opposite have invited a very large-scale debate on a wide range of issues not all of them directly relevant to this particular bill, and I know that we will have an opportunity for debating those issues on many other occasions—I do want to acknowledge the concerns that have been raised about the OSAP criteria. The OSAP criteria are continually under review. Aspects of those criteria are under review now and the ministry is diligently and continuously looking at the needs that are identified and attempting to meet those needs. I can assure members that we will continue to do so.

For clarification of this bill, I would simply like to point out that the purpose of this amendment is to remove the discrepancy between the Ontario student loans and the Ontario study grant plan. The Ontario study grant plan

provides assistance to students at ministry-approved universities or colleges in Canada. There is certainly no way in which this particular amendment in any way undermines the Ontario post-secondary education system.

I do appreciate the contributions that have been made. I welcome further debate on different occasions about the Ontario student assistance program and I do appreciate support for this particular amendment.

**Mr. R. F. Johnston:** On a point of order, Mr. Speaker: As you know, there is no response allowed to a minister's statement and I asked a very specific question around free trade and whether this affected students outside the country as well as inside the country. I did not get a direct answer to that. All I got was a statement that it would not affect the universities in the province. My only recourse now, if I want to get an answer, is to move this darned thing into committee, which I do not wish to do.

**Hon. Mrs. McLeod:** I thought I had indicated that in this amendment equalizing the loan plan with the grant plan, it is for students attending ministry-approved universities or colleges in Canada.

Motion agreed to.

Bill ordered for third reading.

#### MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Mr. Kanter moved, on behalf of Hon. Mrs. Smith, second reading of Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act.

**Mr. Kanter:** I am pleased to speak on second reading in support of this bill, on behalf of the Solicitor General in her absence. This bill is of particular interest to me as it affects the Metropolitan Toronto area, which I represent.

Bill 61 will increase the membership of the Metropolitan Board of Commissioners of Police from five to seven members. Four of the seven members will be appointed by Ontario and three by Metro. Two of the three Metro representatives will be appointed by Metro council from among its members, and the seventh will be the Metro chairman.

In considering this bill, I would like to speak briefly to both the reasons for expanding the Metro police commission and also to the reasons for maintaining a provincial majority on the police commission.

The Metro police commission, as members know, is the governing body of the Metro police

force pursuant to section 17 of the Police Act. The commission is responsible for setting the general policy of the Metro police force, approving the force's staffing, internal organization, budget, contracts and capital expenditures, hearing appeals from discipline hearings under the Police Act and hearing deputations from and keeping contact with the general community.

The main reason for recommending an increase in the membership of the Metro police commission is to allow it to cope with its increasing workload. The Metro police commission has over 7,000 employees and a budget of close to \$400 million. The Metro police force is about six times larger than the next-largest municipal force in Ontario, the Peel Regional Police Force.

In recent years, as members may be aware, the Metro Toronto police force has been the focus of a number of reports and studies designed to make it more sensitive to changing community needs. Some of these reports, such as Cardinal Carter's report on race relations and the late Arthur Maloney's report on police complaints procedure, were authorized by the police commission. Other studies, such as the Hickling-Johnston report on police recruitment and the 1986 Metropolitan Toronto Police report on employment equity, were announced by the chief of police after extensive consultation with the commission.

#### 1220

In every case it is the police commission which must study the report, accept or reject its recommendations and direct the force to implement new policies arising out of such reports.

As members are aware, there is much greater emphasis on community policing these days. An additional reason for larger membership on the Metro police commission is to allow and encourage the commissioners, most of whom are part-time, to get more involved in policy-related issues and with police community groups. Several have been established to assist policing in public housing projects and to help reduce violence against women and children in the Metro community. This is the kind of thing we want to encourage with a larger Metro police commission.

The third reason for the expansion of the Metro police commission involves the existence of the public complaints commissioner. As members are aware, this commissioner currently exists only for the Metro area. A bill was introduced by the Attorney General to enable that to be picked

up on an optional basis by other communities as well.

The public complaints commissioner has made a number of recommendations to the Metro police commission concerning such issues as prisoner transport vehicles, officers' confidential instructions to crown counsel and the questioning of young offenders. The board of commissioners must consider these recommendations and direct the force to implement those recommendations it believes will improve the force.

A further reason for expanding the Metro police commission is to better reflect the multicultural, multiracial community which Metro has become. A recent report from Statistics Canada indicates the tremendous magnitude of this change. As of the 1985 census, the percentage of the population of British origin in the Metro area—and I am not just talking about downtown Toronto here, I am talking about an area beyond the boundaries of Metro Toronto towards Peel and Durham—had declined to 27 per cent from 40 per cent only five years earlier. That means that approximately 73 per cent of the population of the Metro area is of non-British origin. That is a tremendous change, an unprecedented change, from earlier times.

Since we are proposing to expand the Metro police commission to include an additional provincial appointee, I think it is relevant to look at the kind of appointments this province, this provincial government, has made to the Metro police commission and other police commissions in the two and a half years since it has been in office.

The only member of the Metro police commission appointed by the current government is Roy Williams. He is the associate chairman of the school of business management at Ryerson and also the president of the Jamaican Canadian Association. His appointment demonstrates the concern of this government that we appoint people with relevant skills who also reflect Metro's growing multicultural and multiracial population.

Women, while not a minority group, have also been severely underrepresented on police commissions in this province. There are 77 police commissions in the province. The previous government appointed a relatively small number of women to police commissions. Only two of them are still sitting. In comparison, and I think this is a very dramatic contrast, 60 women have been appointed to Ontario's police commissions by the current provincial government.



By the way, during that same period of time, when municipalities also had the opportunity to appoint women to police commissions, only five women were appointed. I think the record shows very clearly that provincial appointments to police commissions in Ontario have made a dramatic improvement in better representing the varied population of this province. Unfortunately, municipal appointments have not always been as sensitive to this changing population.

I would also note that Metro council itself, by resolution of December 9, 1986, agreed to the proposal embodied in Bill 61. Metro council agreed that expansion of the Metro police commission should be on the basis of one member from Metro and one provincial appointment.

Let me assure all members, including the members opposite, that I was a member of Metro council at the time and I supported that motion. I have gone back to check with the Metro clerk. There was no recorded vote. The motion was broadly supported by all sides of council; there was no intensive opposition. The procedure at Metro council, similar to the procedure in this House, is that a matter can be passed on a voice vote, and then there is no record of members opposing it. If there is, opposition members will invariably call for a recorded vote. There was no such recorded vote on that occasion.

I said I wanted to speak to two issues. I suspect there will probably be pretty broad consensus on the idea of expanding the police commission from five to seven members. The fact of Metro's population and complexity and the size of our police force require more people to get involved. There may, however, be some questions about our decision, which is supported by Metro's resolution, to continue the practice of the province appointing the majority of members to the police commission.

It is the view of this government that it is important that the province appoint a majority of the members to ensure fair and progressive law enforcement in accordance with provincial policy. This government, through the Solicitor General, is ultimately responsible for policing in this province. The current Solicitor General (Mrs. Smith), on whose behalf I am speaking, has set out three priorities for policing in Ontario. They include a year-round, province-wide reduce impaired driving everywhere program; second, measures to ensure that police forces reflect and are sensitive to the multicultural, multiracial nature of the population of this province; and, third, initiatives to ensure greater

sensitivity to and support for victims of crime, including the victims of domestic violence.

I think it is important that all police commissioners and all police commissions throughout the province be aware of these concerns and how they can be implemented in a way which is sensitive to local needs and resources. While municipalities do have responsibility under the Police Act for providing police services, members of the police force are not like other municipal employees. They are not employees or servants of a municipality; they are not even employees of the police board of commissioners. The police commission cannot make regulations inconsistent with those made by the Lieutenant Governor in Council. A board of police commissioners cannot lawfully give directions to any member of a police force describing the duties of his office. Police duties are of a public nature and they do not depend on the municipality or police force by which an officer has been appointed.

It has been suggested by some that Metro should appoint a majority of members of the police commission because it pays the majority of police costs. It is quite true that Metro pays a very substantial portion of police costs, 85 per cent or something along that amount, but this approach is totally inconsistent with provincial policy in many other fields, such as health or education. In many cases, the province pays more than 50 per cent of the cost of education or health in a local municipality. I would just throw in that we are actually looking for the province to pay perhaps a little more of the costs of public health in the Metro area. However, municipalities certainly would not accept provincial control in terms of majority representation of boards of education or boards of health just because the province provides more than 50 per cent of the funding for these services in some municipalities.

I have also suggested, and I think most members would accept the principle, that policing requires uniform standards throughout the province. Police are not, and should not be, municipal employees, as are staff of public works or parks departments.

The Metro Toronto Police have a distinguished record of service to the Metro community. The continuing success of the force will require sound policy direction from the board of police commissioners. Expansion of the board of police commissioners in the manner we have suggested will assist the force in coping with the increasing demands placed upon it by a rapidly changing Metropolitan Toronto.



1230

**Mr. Hampton:** I rise to speak on Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act.

Let me say at the outset that we will be introducing amendments to the act. I have given the previous speaker a copy of those amendments, and I want to go into some detail about those amendments and the reasons they are there. I also want to set out the philosophy which we believe should be embodied in the act as a whole. In doing that, I will be responding to the previous speaker.

The bill does amend the act by increasing the size of the board from five to seven members. According to the bill as presented, Metro will appoint one additional member and the province will appoint another. In effect, the province will still have the majority on the police commission.

Although the previous speaker tried to give some rationales for that, we take issue with those rationales, primarily because many of the issues that are dealt with by a police commission are issues that are very much of a local nature and should be dealt with by people who are aware of local situations, who are in touch with the local community and who are generally able and have a desire to respond to those issues and the kinds of questions that arise from the community.

What is the best way of ensuring that? As with a local board of education, the best way of ensuring that is to insist that the majority of the members on the police commission be people from the local community and from the Metropolitan area. The best way of ensuring that, as I have set out in the amendments I have proposed, is to ensure that Metropolitan council has the right to appoint a majority of the members.

It seems to me that if there is an issue in terms of ensuring some continuity across the province, that can be dealt with by the province having the right to appoint some of the members to the police commission. It does not have to have the power or the jurisdiction to appoint the majority of them. That again is reflected in the amendments we want to put forward. If Metropolitan council has the capacity to appoint the majority, then the local concerns, which are the most important concerns, will be looked after. If the province continues to have the power and the capacity to appoint some of the members, although not a majority, certainly there will be continuity in terms of administration of the police.

The parliamentary assistant to the Solicitor General made the point that somehow the

province has been more sensitive than municipal councils and municipal authorities in terms of appointments to police commissions. The inference seems to be that municipal authorities somehow cannot be trusted to make appointments which are representative of the population of the community or respond to ethnic concerns or the concerns of minority groups. That seems to indicate almost a Big Brother attitude. It is certainly not an attitude we can call democratic or that could in any way be described as respectful of democracy.

If the province really wants to ensure that the concerns of the community are reflected, if it wants to ensure that appointees to the police commission are representative of the community, there are ways of doing that by amending the legislation. If you read the current act, very little is spelled out in terms of who is eligible to be appointed and there is very little in the way of indicating what sorts of things should be looked at.

In terms of the history of appointments to the board, the province's appointees could be people with no previous connection with police work or any special knowledge of the justice system. The province's appointments could be people who have not been involved in the administration of criminal law or people who are not familiar with the Police Act. The province's appointments could even be, perish the thought, political hacks, and we know from past appointments under previous governments that this has too often been the case.

What is more, the appointing bodies under the legislation as it now stands can appoint commissioners for any term they choose. These are defects in the legislation. If the government is really concerned about ensuring that the police commission is representative of the community, it can do that in terms of amending the legislation rather than merely saying, "We have to have the majority because we are convinced that if we have the majority of the appointments, we will make the right appointments." It seems to us that reasoning is not sound at all. The better way to proceed is by means of amending the act, tightening up the act and requiring municipal authorities to look at such questions as the representation of ethnic communities and the representation of minority groups in terms of the appointments Metro would make to the police commission.

It seems to us that if the Liberal government is to follow the commitments it has made previously to open government and to reform, it should



start to advertise when vacancies occur on these commissions, and I refer specifically to this commission. It should seek suggestions from the public as to who would be the most suitable people to have a say in the operation of the largest municipal police force in the province. Many of these issues can be dealt with and laid out in the legislation.

I want to go back to the question of who should have the majority on the board and look at it a little more carefully. The parliamentary assistant to the Solicitor General indicates that Metro council has approved the concept that the province should make the majority of the appointments.

It is our information, however, that there are a substantial number of people on Metro council who do not agree with that position, and who do take the position that Metro ought to be appointing the majority of the members to the commission.

1240

To go over again, it is our understanding that Metro council pays about 85 per cent of the costs of the Metropolitan Police Force. Under this, the proposed new legislation, they would have only about 43 per cent of the members. As we have said, that is very much a Big Brother attitude towards policing in the largest regional municipality in the province.

In the interests of democracy, and in the interests of staying in touch with the local concerns of the community, we strongly believe that Metro should appoint the majority of the members. We believe if that were the case, the day-to-day operations of the Metropolitan Police Force would be more in touch with the needs of the community.

Finally, I want to make these comments. The amendments that we intend to make are amendments which would give the Metropolitan council the capacity to appoint the majority of the members. For the reasons I have set out, we believe that will lead to a stronger and better Metropolitan Board of Commissioners of Police. I hope all members will consider those amendments and vote for them.

**Mr. Speaker:** Are there any comments or questions of the member for Rainy River?

**Mr. R. F. Johnston:** Yes. I think it is important that the things that have been put on the record by the member for Rainy River about Metro are so pertinent to Metro. As a Metro member, I would like to make a couple of comments.

I am specifically very pleased to see the member for Scarborough-Ellesmere (Mr. Faubert), an ex-Metro council member because of his position as controller, and the member for St. Andrew-St. Patrick (Mr. Kanter) in his past experience as a Toronto councillor, involved with these issues about the importance of having Metro control the majority of appointees on the police commission.

I would find it very amusing indeed to hear these members argue against the fact that the piper who pays for the tune, to 85 per cent of the cost of policing in Toronto, should not control the majority of the appointments to the board.

The other thing I wanted to raise was something which has not been talked about a great deal in many years. That is the whole notion—

**Mr. Speaker:** As to the time, it might be some later time. I asked you if there were any comments or questions on the remarks made by the member for Rainy River.

**Mr. R. F. Johnston:** These were on the remarks by the member because he was talking about the local control. One of the things that is crucial about this is the whole notion of what the composition of a police board should be anyway. Should it be the small, élite group that meets, or should it be a group which is representative of the community itself, and have a large capacity to represent the community at large and in Toronto, in its truly cosmopolitan nature that it has?

One of the things that this government should be doing is looking at a total rethinking of how the police commissions worked and how we involve the various communities of Toronto in more of the decision-making around policing which will be policing back into real community control.

**Mr. Speaker:** Are there any comments or questions on the remarks made by the member for Rainy River?

**Mr. Allen:** I believe my remarks not only will be brief but will also comment directly upon the member's proposals, notwithstanding the fact that they will arise from a Hamilton context rather than the Metropolitan Toronto context. But the member did refer to a question as to whether other municipalities would not find this an inconsistency across the province or whether the government was concerned about an inconsistency developing across the province.

I might say that for a number of years the municipality of Hamilton-Wentworth has sought this particular type of amendment for its own police commission and to date has had that

request refused by previous governments. I suspect the government would find that most regional municipalities are in fact quite sympathetic towards this proposal that they should have at least an edge in the appointment of the numbers of members who sit on the commission.

Certainly our own region, as I say, has sought that for some time, and this government has shown some sympathy, at least with respect to improving the nature of local representation, at least in our area, to the point of allowing us to elect our own regional chairman. That suggests to me there is nothing inconsistent in moving on into other aspects, such as they are, in municipal government, where it is possible to improve local representation and local control, on balance, over those institutions in municipal government.

I would simply commend the remarks of my colleague to the House and suggest that the province as a whole, I am sure, will be very interested in seeing this develop.

**Mr. Sterling:** I would like to indicate that while we have some concerns about Bill 61, our caucus will support the bill in the final analysis. It is kind of like getting a half-loaf in terms of what is needed here in the municipality of Metropolitan Toronto.

I think it is important to point out that this very same bill was brought forward in the Legislature in the last parliament as Bill 81 by the Solicitor General, and it was seen at that time by the Solicitor General that they were not going to get their own way, that in fact what was going to happen, with the combined efforts of the Progressive Conservative Party and the New Democratic Party, was that Metro Toronto was going to get the majority of the appointments on the police commission for Metropolitan Toronto.

The Liberal government at that time, not wishing to take the votes of the parliament of Ontario, withdrew that in a very arrogant fashion, hoping that it would get a majority parliament, which it has. Now they are going to introduce it in a fashion which neither the Progressive Conservative Party nor the New Democratic Party approves of.

So we had a situation where they introduced something in the Legislature, they did not get their own way, so they said: "We'll pull this back; we won't carry on with it. We'll wait until we have a large majority, and then we can ram it down the throats of the people of Metropolitan Toronto." That is what they are doing today.

Therefore, we are going to introduce an amendment to this legislation as well, and we will be moving it to the committee of the whole

House. We believe there is a need for an expansion of the police commission from five to seven members, but we think the Metro council should have the majority of the appointments on that particular police commission.

**1250**

**Mr. Kanter:** Just briefly in terms of a response, I am pleased that members of all sides support the important principle, the thrust of increasing the size of the Metro police commission. I am very pleased to hear that.

With respect to some of the comments of the members opposite, the member for Rainy River raised some points which have some validity, for example, things like the standards for appointment and the knowledge of appointees. I think those are rather general points that could not be covered by specific amendment to the Municipality of Metropolitan Toronto Act. I think he raised some interesting points on that issue. However, I would take issue with him on some of his analogies, for example, speaking of boards of education which are elected quite differently from police commissions.

I take exception with his observations on the state of mind of Metro council. I was there and my colleague the member for Scarborough-Ellesmere was there and it is our recollection that Metro council indeed endorsed this specific approach to change.

With respect to government appointments, I think the record of this government with respect to appointments to the Metro police commission, to other police commissions and indeed to other government agencies, boards and commissions speaks for itself. I can think of a former member of this House, Mr. McClellan from the former riding of Bellwoods. Certainly, there has been an attempt to ensure that people with good qualifications have been appointed to provincial and municipal agencies, boards and commissions regardless of political affiliation.

On the comments of the other members of the opposition party, the member for Scarborough West (Mr. R. F. Johnston) called for a broader rethinking of how we involve community members in policing in Ontario. That is an ongoing process, but again, not something that can be dealt with appropriately in an amendment to this legislation, the Municipality of Metropolitan Toronto Act.

I appreciated the comments of the member for, I believe, Hamilton West (Mr. Allen), who understood our greater sensitivity to regional government and the needs of regional government. I would just reinforce that with the



legislation that has been introduced by my colleague the Minister of Municipal Affairs (Mr. Eakins). He is making Metro, as a whole, more responsive. He is ensuring that the Metro chairman who will be a member of the police commission is directly elected. He is ensuring that members of Metro council who will be members of the Metro police commission are directly elected. These are substantial changes and improvements, I believe, along the directions sought by the member.

I am pleased to hear that we are going to have support from the members of the third party.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

#### MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Consideration of Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act.

On section 1:

**The Deputy Chairman:** Mr. Hampton moves that clause 177(1)(b) of the act, as set out in section 1 of the bill, be amended by striking out the word "two" in the first line and inserting in lieu thereof the word "three."

**Mr. Sterling:** We in this caucus will not be supporting this particular amendment, although we approve of a majority of the police commission being appointed by the Metropolitan council.

You will see from the amendment I have given to you, Madam Chairman, that we would like one of the additional appointments by Metropolitan council to be of a different nature than the other two members of Metropolitan council who would become members of the commission. We would like that final appointment by the Metro council to be a person who is not a member of council but is a lay person. Therefore, the commission would, in effect, still be controlled by lay people and not by elected people. However, the majority of the people who would be elected, including both the members of council and the lay people, would be appointed by Metropolitan council.

That is the reason we cannot support that particular amendment. I will have to consider my amendment at a later time.

**Mr. Kanter:** We will not be supporting the amendment put by the official opposition. As I indicated in my speech, I think it is important that there be some provincial uniformity. I think the

province has indicated some new initiatives and approaches in the policing area, some very important initiatives in terms of policing in a multicultural, multiracial society.

I would reiterate that this bill is consistent with the policy that has also been approved and adopted by Metro council, that we continue to have majority provincial representation with, of course, strong municipal representation as well. Therefore, I repeat, we will not be supporting the amendment of the official opposition.

**The Deputy Chairman:** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Motion negatived.

**The Deputy Chairman:** Does any other member wish to make any other comments, questions or amendments to the bill?

**Mr. Hampton:** To that section?

**The Deputy Chairman:** To section 1.

**Mr. Hampton:** I did have a second amendment, but it makes sense only in combination with the first amendment. As the first amendment is lost, I will not be making the second amendment.

**The Deputy Chairman:** Does any other member have any comments, questions or amendments to make with respect to section 1?

**Mr. Sterling:** Yes. I have an amendment.

1300

**The Deputy Chairman:** Mr. Sterling moves that clauses 177(1)(b) and (c) of the act, as set out in section 1 of the bill, be struck out and the following substituted therefor:

"(b) two members of the Metropolitan council appointed by the Metropolitan council;

"(c) three persons appointed by the Lieutenant Governor in Council; and

"(d) one person appointed by the Metropolitan council for a period of three years and who is not a member of Metropolitan council, the council of an area municipality or of any local board thereof."

**Mr. Sterling:** This amendment, coupled with the existing clause 177(1)(a), which appoints the chairman of Metropolitan council to the police commission, leaves the composition of the police commission thus: the chairman of Metropolitan council would be one member; there would be two members from Metropolitan council, making three; and there would be one additional appointee by Metropolitan council who was not a

member of council, which would make four appointed by Metropolitan council. In addition, there would be three persons appointed by the Lieutenant Governor in Council, to make a total composition of seven members on the police commission.

It is my feeling that this would be a compromise for what is sought, in truth, by Metropolitan council, in spite of the remarks by the member for St. Andrew-St. Patrick (Mr. Kanter). Metropolitan council, to my understanding, has taken the bill put forward by the government of Ontario as its second choice in this whole matter. As I mentioned in my opening remarks on second reading, that was a matter of half a loaf rather than a full loaf. Therefore, I believe this amendment does meet the wishes of the Metropolitan council. It gives control to the people who are paying 85 per cent of the police commission and policing costs. It also meets the concerns of the police about the control of the police commission by politicians, and lay people can still control the overall workings of the commission.

**Mrs. Grier:** I regret that the members of the Conservative Party chose not to support the amendment moved by my colleague the member for Rainy River (Mr. Hampton), but I think the amendment moved by the member for Carleton has some merit and deserves some support. I intend to support it because it enshrines the principle that the majority of the members of this police commission will be appointed by Metro council, even though they are not elected members of Metro council.

I think the logic that was used by the member for St. Andrew-St. Patrick, that just because the province did not appoint the majority of boards of health and boards of education, though it controlled the costs, it therefore did not follow that Metro should appoint the majority of the members of the Metropolitan Police Commission, is such a ridiculous exercise that it deserves to be opposed in every way possible, and I intend to register my opposition by supporting the amendment that is before us at the moment.

**Mr. R. F. Johnston:** I too regret the fact that the Conservative Party did not agree to our amendment, but I would like to speak positively about this amendment and then say why I will not support it.

Essentially, I think what is positive about it is that majority control is given to Metro Toronto council, which is an important principle to which we spoke and why we moved our motion the way we did. What is not clear, however, is the

question of the role and the accountability of the appointed layperson. As I was trying to say to the parliamentary assistant in my remarks on second reading, my concern is that we eventually come up with a system whereby there is more community control and more representative participation on the commissions, but one cannot establish that in an ad hoc way that does not have accountability.

The individual who would be a tie-breaker in the circumstances raised by the member for Carleton is somebody to whom there is no specific direct accountability. The council would be accountable for decisions he or she might make because of the fact that it made the appointment, but that is, at best, a secondhand kind of control over that person and really does nothing to provide the direct accountability that we would have had with our amendment. Therefore, I will not be supporting it.

**Mr. Kanter:** I appreciate the consistent approach being taken by members of the third party. I am rather intrigued by the split in the official opposition. It seems that one of the members, I believe the member for Etobicoke-Lakeshore (Mrs. Grier), is going to support the amendment because she is angry at me, and the member for Scarborough West (Mr. R. F. Johnston) supports the principle but is going to oppose the amendment. I am really having some difficulty understanding the intellectual process that is happening in the official opposition.

I have some problems with the amendment, although I can see where the member is coming from: this sort of mythical idea of a citizen who is somehow going to be free of any political entanglement, this mythical citizen who is going to be appointed by Metro council. My experience in a former position as a member of that council is that these independent citizens frequently turn out to be former members of that council or friends of current members of that council or that kind of thing, but I am not intending to get into a discussion of municipal patronage at this time.

I have some concerns with the Conservative amendment. First, it represents a rather unusual approach to municipal autonomy. They are saying, "Let Metro make the appointment, but do not let it make it from a certain group of people who are certainly members of the Metro community." That is rather an unusual approach to Metro autonomy. It is also inconsistent with Metro's policy of choosing members of council for agencies, boards and commissions. There has been an emerging and increasing feeling that



members, for reasons of accountability, should choose members of council rather than citizens.

I would reaffirm the fact that the legislation which has been introduced by this government is going to strengthen the accountability of the Metro police commission because of the fact that the Metro chairman is going to be appointed and the other members of Metro council are going to be directly elected for the first time, a substantial change from the old regime.

Finally, I would like to say there have been some hints and suggestions, I guess, during this debate by members of both parties opposite that I think go to some deeper matters in the question of policing in Ontario. I think they go to the important issue of the balance between the independence of the police and political accountability. I do not think this question is going to be solved by juggling the responsibility for appointments to the Metro police commission. I think these questions go far beyond whether the province appoints a majority or the municipality appoints a majority. I think they relate to broader issues of community involvement in policing, standards of policing, the procedures followed by the police commission, the relationship of the police commission with the chief, the Solicitor General and the Ontario Police Commission, and those kinds of things.

I think those kinds of issues, which are very important issues that have been raised by members opposite, cannot be considered through an amendment to this bill that affects only the municipality of Metro Toronto. They are important issues and should be dealt with. They should probably be dealt with, in most cases, by amendments to the Police Act. I want to assure all members opposite that a complete review of the Police Act is being undertaken and is being accelerated under the current Solicitor General.

I think it is important that we adopt Bill 61 without the Conservative amendment; that is, that we oppose the Conservative amendment but not preclude a broader examination of some of the issues raised by the member for Carleton, the member for Scarborough West and, indeed, all of the members opposite.

1310

**Mr. Sterling:** I am somewhat amused by the parliamentary assistant's response to the amendment. I would have thought that perhaps he would have listened to his first words when he spoke on this bill, when he was talking about the uniqueness of the Metropolitan Toronto Police Force, in that it is six times as large as any other municipal police force in Ontario and is probably

about equal to the size of the Ontario Provincial Police Force.

Therefore, I think we can consider different rules for this particular police force, as we are today in Bill 61 because we are increasing the number of commissioners from five to seven, whereas every other municipal police force that chooses to have a commission in Ontario has either five or three members. None has seven and, after this bill receives royal assent, we will have a commission with seven members, in fact.

The argument by my friend the member for Scarborough West, who argues about the fact that he wanted political accountability with regard to the additional police commissioner appointed by Metropolitan council, may hold some water. However, he neglects to look at the fact that the bill in its present form appoints four lay people as it now stands. I would have thought that the introduction of a progressive, innovative amendment such as this would have not only received the support of the members of the opposition who indicated their support during the last Parliament, but also it would have been considered seriously by the opposite side.

However, I think we are going to have to become accustomed to this. We are, after all, overshadowed by 94 members to 35 members in total opposition. The fact of the matter is, I do not think it matters what kind of amendment we come up with over here, how progressive or how soft that amendment is or how easy it would be for this government to accept a progressive amendment such as that. I do not think it is going to be accepted over the next four years. What we are going to see is the heavy-handed arrogance of a large majority government that would not deal with this in a fair manner when it had to put its case forward, when it had to negotiate as this bill was brought forward in the last parliament.

What we are seeing today is a start of a march towards a heavy-handed practice by this government, where it is going to say: "Here is the bill, boys, take it or leave it. We are going to ram it through. We do not want to have good thought. We do not want to send these matters out to committee. We do not want to make amendments to the Meech Lake accord. We do not want to hear your arguments before we have the vote on the resolution on free trade." This is just another example of that and this is such a small, little amendment to this particular bill that they could accept it in some kind of graciousness before we adjourn this afternoon.

Therefore, I am very much disappointed in the whole attitude and the arrogance of this particular government on this matter.

**The Deputy Chairman:** Is it the pleasure of the House that the amendment carry?

All those in favour will please say "aye."

All those opposed say "nay."

In my opinion the nays have it.

Motion negatived.

Section 1 agreed to.

Sections 2 and 3 agreed to.

Bill ordered to be reported.

On motion by Hon. Mr. Conway, the committee of the whole House reported one bill without amendment.

#### MINISTRY OF AGRICULTURE AND FOOD STATUTE LAW AMENDMENT ACT

Hon. Mr. Riddell moved second reading of Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food.

**Hon. Mr. Riddell:** This important legislation warrants at least 20 minutes of introductory remarks, but the Minister of Consumer and Commercial Relations (Mr. Wrye) here tells me he has a stopwatch on me, so I will be concise and I will try to give members the principles of the bill in about five minutes.

The Ministry of Agriculture and Food Statute Law Amendment Act amends three pieces of legislation: the Farm Products Marketing Act, the Milk Act and the Ministry of Agriculture and Food Act. The aim of these amendments is to improve farm products marketing legislation and thereby improve the efficiency and effectiveness of administering the three acts that I have mentioned.

Specifically, these changes will create one supervisory body where there are now two to administer the Farm Products Marketing Act and the Milk Act. This new organization is to be known as the Ontario Farm Products Marketing Commission. It would consist of producers, processors and consumers as well as civil servants. The commission would replace the Farm Products Marketing Board and the Milk Commission of Ontario.

The amendments will also permit terms and conditions and penalties to be applied to licences by marketing boards. A producer, for example, could be penalized for contravening the terms of a licence. The penalty could be as much as 10 per cent of the price payable to the producer for the regulated product marketed during the preceding 12 months. Likewise, processors could also be penalized.

These enhanced licensing powers for marketing boards have been incorporated in these

changes at the request of the Ontario Vegetable Growers' Marketing Board. The amendments would also enable marketing boards to charge interest on licence fees owing and increase the fine levels for both processors and producers for contravening the act or regulations. Fines will be increased from \$500 to \$2,000 a day for a first offence and for a second offence from \$5,000 to \$10,000 a day.

Other changes affect the Farm Products Appeal Tribunal and are designed to improve the way in which the tribunal can handle appeals to marketing board decisions. These changes are as follows:

The time limit for a producer to register an appeal has been reduced from two years to one year.

An appeal would be permitted to proceed directly to the tribunal where the local board failed to decide a matter within 60 days of an application being made for a hearing of a board decision.

The time during which the tribunal must set a hearing date is extended from seven to 10 days. The time period in which the tribunal has to complete a hearing is extended from 30 days to 45 days. A further 20 days is allowed for the issuing of the decision and the reasons.

#### 1320

There are also two changes that affect the role of the minister in the decisions of the tribunal. If asked to review a decision, the minister would have 30 days to do so after receiving the tribunal's decision and the reasons for its decision. Currently, the minister must review the decision within 30 days of receiving the decision itself, without having the benefit of receiving the reasons for the decision. Also, the minister will be empowered to confirm the decision prior to the expiry of 30 days rather than letting the full 30 days run out.

To sum up, there are two key changes we are asking for in these amendments: (1) to create a single marketing commission to replace the two current marketing bodies, the milk commission and the Farm Products Marketing Board; and (2) to provide enhanced licensing powers to marketing boards. These enhanced powers would include permitting terms, conditions and penalties to be applied to licences.

As I mentioned earlier, these licensing changes have been requested by the Ontario Vegetable Growers' Marketing Board. This board had licensing difficulties with some growers last year and is anxious to have these new provisions in



place before negotiations begin in February on establishing the 1988 processing contracts.

I therefore urge the honourable members to pass these amendments in order to maintain an orderly marketing system for processed vegetables and to improve the efficiency and effectiveness of our farm products marketing system.

**Mr. Wildman:** I rise to indicate the support of our caucus for the amendments proposed by the Minister of Agriculture and Food.

One might be tempted to look at this as the minister attempting to build one more empire for himself, with a new commission and so on, but in fact he is really streamlining the situation with the one commission. In practice, the same people have sat on both bodies for a long time.

As he indicated in his remarks, the Ontario Vegetable Growers' Marketing Board is in support of the recommendations with regard to licensing and has requested that the Legislature move expeditiously to pass this legislation so it would be in place before the spring growing season and the growers would have the protection they need.

It is not exactly what the Ontario Vegetable Growers' Marketing Board originally suggested as a contract security enhancement program, but through discussions with the ministry, it has been obvious that the licensing, with terms and conditions as an alternative method, accomplishes the objectives the marketing board had with regard to its proposal for a contract security enhancement program.

The board has written to me, and I am sure to the Conservative caucus, and indicated its support and requested that we support the amendments and that the bill be dealt with as soon as possible. We are glad it is possible for us to deal with this legislation before the House adjourns.

I will follow the example of the minister in being as brief as possible and just indicate that we think it is unfortunate that we have to deal with what I consider to be important legislation so quickly in this House. But we will be in support of it and hope it will have the effects the board and the ministry believe it will have in protecting growers throughout Ontario.

**Mr. Villeneuve:** I, too, rise on behalf of the Progressive Conservative Party to lend support to Bill 65. The Conservatives realize that some streamlining had to occur here and we do have the full support of all commodity producers who will be touched by this. It will eliminate some of the procedures that have been brought on to some of the producers by the processors of vegetables

which have not been all that savoury. I think this will look after that particular problem.

In summation, I also wish to make sure that the acts being amended are opened up and consolidated to improve the efficiency in the administration. However, it should also always be remembered that the unique nature of dairy products must be maintained as pure dairy products. I believe the minister has ensured that this will continue as in the past. I am pleased to provide support to Bill 65.

**Hon. Mr. Riddell:** I simply wish to thank the honourable members in both the official opposition and the third party for their support of this important legislation. I look forward to that kind of continued support in the spring session of the Legislature.

Motion agreed to.

Bill ordered for third reading.

#### LEGISLATIVE ASSEMBLY AMENDMENT ACT

Hon. Mr. Conway moved second reading of Bill 79, An Act to amend the Legislative Assembly Act.

**Hon. Mr. Conway:** I have a very brief comment. This is the first of the two pay bills. It increases the indemnities and allowances paid to members under the Legislative Assembly Act by 4.4 per cent, which I believe my colleagues in the government believe is a fair increase, taking into account the inflationary pressures of this past year and the cost-of-living increase.

**Mr. B. Rae:** I realize that this question of pay is one on which leaders of opposition parties are supposed to remain blissfully silent. I do not intend to play that role today. I do want to speak out on behalf of members. Perhaps I could see my role as something akin to being the chief shop steward of those who are not able to speak for themselves. A number of members have come up to me privately and said, "Is there something you can do to help us on this one?" Many of them are members of the Liberal Party. I do intend to speak on their behalf, even though I realize that in so doing I am always liable to raise the interest level of members of the press and of others on this question of our salaries.

I have been a member of two different assemblies, this one and the House of Commons, and I think it is fair to say that among the members' chit-chat and talking about their conditions and their working lives, we are, like every other citizen in this province, people who think from time to time about how we get paid,

what that process should be like and how we should feel about that.

We are subject to an extraordinary degree of public scrutiny as members of a profession that deals with the public and for whom publicity is a way of life for us. The question is raised on many occasions, whenever salaries are raised, that it is not the right time. People say this is not the right year. Let me tell you, Mr. Speaker, there is never a right year to deal with this question. It is always going to be one which will raise eyebrows and obviously one which will raise concerns from a public which in many cases does not have the highest opinion of those of us who are in elected office.

I want to make it very clear that I do not have any figure in my head that is an ideal figure for what a member should be paid, or for what a cabinet minister should be paid, or for what the Leader of the Opposition or the leader of the third party should be paid.

1330

What I want to say to the House is this. I do not think it is right that we should be put in the position every year of having to determine our own salaries. It is inappropriate. It puts us in an invidious position, and I think it is wrong. I can tell every member in the House I have expressed this view privately to the Premier (Mr. Peterson) on more than one occasion—to the point now where he does not particularly want to hear my views on the subject any more—as I did with the previous occupant of his office.

I think it is wrong. I think it is unhelpful to our own job. I think it is unnecessary. I do not think we should be put in the position of having to do it or in the position of doing it. In fact, the House reached that conclusion the last time we were a minority parliament in the late 1970s, when we gave to the Commission on Election Finances a specific responsibility with respect to the establishment of salaries, pay scales and what they should be.

The elections commission has come forward every year with its annual report. If one looks at that annual report, and I encourage members who have not seen it to do so, he will find that over the years the commission has made recommendations with respect to salaries of ordinary members and other indemnities that are to be paid. Those recommendations have time and again been ignored by the government to the point where in its last report the commission said: "We think this whole question of what the commission is doing ought to be reviewed. We do not think it ought to be simply left up to us. We are not

interested in going through a long process of trying to assess what is fair, of going out on the record, of making public our recommendations and of receiving criticism and praise or whatever for doing this and then simply having it dismissed by the government in power because it does not think it is the right time, or it does not think it is right, correct or fair that it should be done."

I happen to think there is a good solution, which I have urged publicly and will be doing so again today. What we should be doing in this bill is establishing a commission—it could be the elections commission; it does not matter—and giving to that commission the power to establish salaries; not simply to make recommendations, the power to establish what they should be. Having established it, we should not only say it should be dealing with questions of what our salaries should be; it should be looking at them in relationship to what provincial court judges are being paid, in relationship to what deputy ministers are being paid and in relationship to what other order in council appointees are being paid.

There are ample examples across the world where this is done. In Australia, for example, if I can give the members one example, there is a commission that provides an annual recommendation, which is binding, that establishes salaries across the board for all senior levels in the public service and for people who hold elected office. It makes eminent good sense. We should not be put in this position of having to say, "So-and-so is worth so much and so-and-so is worth so little."

Let me also say, while I am on my feet, that I personally think it is inappropriate for the cabinet to be determining what the salary of ordinary members ought to be and, in effect, imposing a kind of caucus discipline or party discipline on those recommendations—in other words, making it a government bill. This is not a bill of the House. This is not our bill. This was not done in consultation with us. This was simply given to us as a government bill by the cabinet.

I think ordinary members resent that. Obviously, this is done in confidence, but I think it is only fair that I say this to the government. A number of them have said to me privately that they think it is unfair and inappropriate. They do not appreciate it and they think it ought to be changed. So I am opposed to it.

Let me also say that a number of things have been said about our salary level. I only want to respond to the most recent one, because it is so out of line that I think it is something one has to respond to. This is a comment of a well-known



Liberal, a former candidate in many jurisdictions, now a Toronto councillor, Mrs. Rowlands, who recommended a salary of \$57,500 for councillors of Metropolitan Toronto, the new positions which are being created. She said, and I am quoting from today's *Globe and Mail*, "We do three times the work of back-benchers in the provincial Legislature.... They can do nothing and nobody ever notices."

**Mr. Faubert:** Oh!

**Mr. B. Rae:** I see the member for Scarborough-Ellesmere (Mr. Faubert) is perking up. He knows the problems here.

That is the end of her quotation. Then the article says: "Members of the Ontario Legislature, not including cabinet members or others in special positions, receive \$50,192 a year. They can also receive \$68 a day for participating in standing committees. Metro politicians say that could add an extra \$5,000 to \$10,000."

I have here a copy of the Public Accounts of Ontario for 1986-1987. It is no mystery what people make on their per diem allowances. It is right here on page 21 and I want to read out some figures just so members will know how completely out of line this view of what is going on here is.

It is all here, any one you want. The standing committee on the administration of justice: the leader of the third party made the grand total of \$1,185 as the chairman on a per diem basis. It is not between \$5,000 and \$10,000. The member for Waterloo North (Mr. Epp) made \$34. He pulled that in.

**Mr. D. S. Cooke:** And that was before double dipping.

**Mr. B. Rae:** I could go through the list. The former member for Cambridge, Mr. Barlow, \$136; the member for Brampton South (Mr. Callahan), \$136—I think he was in court that day; the member for Oriole (Mrs. Caplan), \$184. What we are talking about here are figures which are substantially below the ones which are being bandied about by so-called experts who know what our pay structure and pay rates are.

I want to go on record as saying this and then I will sit down. I think members who serve the public should be paid reasonably, should be paid fairly and should be paid in a way which provides them with some compensation and recognition for the work they do, and I do not think we should be ashamed when we say that to the public. We work hard for a living. Members work hard.

[Applause]

**Mr. B. Rae:** That is the first time I have ever been applauded by the Liberal caucus since they got here in November. I want members to know that.

**Mr. Faubert:** Or even back-benchers.

**Mr. B. Rae:** By and large.

**Hon. Mr. Wrye:** You are finally saying the right stuff.

**Mr. B. Rae:** The second thing I want to say is that I think it is wrong for committee work to be seen as some kind of extra thing which one does in order to earn an extra \$70 or \$75 a day.

At a time in the history of this House, committee work was regarded as something extraordinary that one did and by doing so one did not go back to his regular line of work. If you were a farmer, you had to hire somebody else to plant your seeds; if you were working in a law office, you were not able to do that; if you were an accountant, you could not do that, so you were paid for committee work in exchange for that.

That is a 19th century view of this institution; this is a 20th century institution. Our committees here work and operate as an integral part of the way we operate. As party leaders, why should we be saying, "OK, this committee is going to be sitting so many days," and calculating and thinking? It is ridiculous. It is not the way we should operate.

The way we should operate is there should be a salary. I am not a big fan of the tax-free allowances, I must say. I think we should be focusing on what our salary benefits should be and we should be focusing attention and asking the Commission on Election Finances to do that. We should get rid of the anomaly of separate pay in terms of what people get for working on committee. There should be a basic salary and that ought to be it, and everybody ought to know what it is.

I think the public ought to know what our hours are. If they want to know what our hours are, I am sure we would all be prepared to tell them. I can tell everyone here that the members of my party do not work a 40-hour week. Everybody knows that. They never have.

**Mr. D. S. Cooke:** Wait a minute. Tell them it is more than that.

**Mr. B. Rae:** My colleague the member for Windsor-Riverside (Mr. D. S. Cooke) says to make it clear that it is more than that. I want to make clear that it is more than that.

When the headlines came out last week that said I was lolling about in the sun with four beautiful women, my three daughters and my

wife, I naturally had cause to reflect on them. That is life. You do things and you live your life in a goldfish bowl. Everybody is aware of these things. That is the way it is and there is good-humoured razzing back and forth. But I want to make it very clear that this is the price we pay for being in public life; everything we do is public.

1340

I do not think many of us, on reflection, have too many regrets about that. From time to time we might, but that is the cost we pay. I do not think it is unreasonable for us to say that, in exchange for that, we ourselves expect not to be put in the invidious position of having to creep around and say, "It should be 3.9 or 4.2," never having had over the last 10 years any real assessment of what we do in terms of the hours, in terms of the work of this assembly compared to what it was 10 years ago. It is dramatically different. When I got here, the assembly sat for five or six months. The last two and a half years we have been sitting for eight or nine months in terms of what we have been doing and the work that has gone on, plus the work of committees outside that time.

I want to make one other point, one other anomaly which the leader of the third party is not able to address. I will address it since I have been in his position once, and it is this. The discrepancy between the pay for the leader of the official opposition and the leader of the third party is simply too great. If members want to look it up, it is about 14 grand and change. When the commission in Ottawa in the last go-around looked at these things, it said that was a discrepancy that ought to be addressed, that one ought to recognize that leaders of parties, whether they bear the title of leader of the official opposition or not, have roughly equivalent duties. I do not find myself doing any more or less than I was doing when I was leader of the third party and I suspect the member for Sarnia (Mr. Brandt) feels the same way. He cannot say that. I am going to say it on his behalf.

I almost feel that this is an issue that has to come out of the closet. Members have to be open and feel they can talk about this question because it is one of the few issues in which we all have an equal stake. I do not know whether any Liberal members are going to get up or not, but we intend to move some amendments. The leader of the third party and I have discussed our approaches and we have found that they are remarkably similar. We want to see a commission established. We want that commission to be indepen-

dent. We want that commission to set our salaries. We do not want them to be set by the cabinet. We do not want them to be set by the Premier. We do not want to be put in the position of having to vote on them ourselves.

I think it is time we discussed this openly and candidly with each other. I can assure members that if we do the reform once, it will then have been done and the public will see that this is the way it is going to be. Let the commission determine what the rate should be and let that be the end of it. I hope we never have to have another debate in this place or in any other place in terms of what our salaries should be.

**Mr. Brandt:** First of all, I wish to associate myself with many of the comments made by the leader of the official opposition with respect to the process in which the question and the issue of members' pay is handled here in this Legislative Assembly.

For some time now, I have had some degree of discomfort with the whole arrangement, the idea of our having to sit here and vote and approve our own pay in some fashion or another, those recommendations coming principally from the Premier but perhaps by way of cabinet review as well. From the standpoint of our party, I believe it causes some perception problems in terms of what the public sees as the manner in which we grant ourselves our own pay and the manner in which we arrange for our pay to be approved by the Legislative Assembly.

I think there is another problem in terms of even the time of the year in which these pay raises are put through. They normally, as members know, come at the very end of the session and there is a suggestion constantly from our friends, the members of the media, that we kind of sneak this thing through during the waning hours of the session and before we all run off to a very happy and comforting vacation; to the south, usually, where the sun shines somewhat more brightly than it does in Toronto at this time of the year.

I think there is also a perception problem that the Leader of the Opposition (Mr. B. Rae) talked about in terms of the attitudes and beliefs of people as they relate to the responsibilities of those of us who serve in this assembly. I do not think there is one member of this assembly who has not been asked about the next three or four months that they are going to have off—and I underline that word—with people knowing full well that just because there is a break here in the Legislative Assembly, this does not mean that the period that is going to follow is going to be a period of some lengthy, elongated kind of a



vacation. It simply does not work that way. So we do have some perception problems and we might as well come to grips with those perception problems.

We might as well, in a very nonpartisan way, understand that if the pay of members is going to be appropriately established in some fashion that can remove perhaps some of those negative perceptions, can remove the question of the compromise that we find ourselves in by being forced to vote for our own pay increases, then we are going to have to reach out and attempt to arrive at some different type of mechanism.

Legislatures have grappled with this problem for some number of years. I fault the present government not one bit that they are in the dilemma they are in now, because I sensed the same kind of problem when I sat in the inner confines of cabinet and when I sat way back in the fourth row about where those members are nodding off right now while I am giving these very cogent remarks.

It is interesting to note that back in 1978 the Commission on Election Finances was asked to review this whole matter. The Election Finances Commission did take a look at this entire question and the idea at that time, fully one decade ago, was to take this issue and remove it from the decision-making process that goes on here in the Legislature. I support the thrust that was initiated back in 1978. The problem is that it never came to any kind of appropriate conclusion.

What has happened is that in the 1987 report of that commission—and I quote the recommendation that came out of it—it said, “The commission further recommends that its responsibilities with respect to the said indemnities, allowances and salaries be reviewed.”

I take from that not that they were necessarily not accepting, if you will, the responsibilities that they were given in 1978, but they wanted to be given a more clear-cut idea of what their responsibilities were going to be with respect to the very question that we have before us today. Should this commission or should some other body take an independent, arm’s-length look at the situation with the entire purpose of making an appropriate recommendation relative to what our pay levels should be?

There may be members of this assembly, as an example, who are not aware of the fact that there are other provinces, namely, Quebec, where the pay level is substantially higher than it is here. Is that appropriate? Is that right? Is it correct? Do

they work harder? Are they in some way worth more money than the members of this assembly?

I cannot answer those questions other than to say there is a very substantial pay discrepancy between those two legislative assemblies, both of which do similar work. Yet this is a larger province with a larger assembly. Uniformly, when one goes through the other provinces, it appears that there is some relationship between the size of the province and the size of the assembly and the amount of pay. So Ontario would normally be the second-highest paid assembly in the country, after the House of Commons, because it is the largest province. Now maybe that does not follow and maybe an independent review taken by a commission or by some other independent authority would come to a different conclusion.

When we look at the percentile differential between the pay here and the pay of the Quebec assembly, between the pay here and the House of Commons, we will see that if they are, in fact, appropriately paid, then I share with the members my view that we are substantially underpaid. If the reverse is true, if we are appropriately paid, then in some fashion the logic would only follow that they are overpaid. Something is out of whack and something is wrong, because the differential is simply too substantial in terms of those respective assemblies.

I think the commission or the authority that would be set up to review this matter must be seen to be an independent body, but as well the perception of that particular body must be completely, totally at arm’s length and independent in every respect without any influence from any member of this House.

### 1350

If I can go back in history a little bit, I served as a councillor and as the mayor of the city of Sarnia for some 10 years. While I was in that capacity, we came to grips with this very same problem. I am sure the mayor of Brantford and others sat there grinding out an appropriate increase and trying to find some mechanism that would allow them to face the public and say, “We are worth a certain percentage more,” or, “We have to adjust our salaries or whatever on an annual basis.”

We know, as colleagues in what I consider to be an honourable profession, that there is no number that is a magic elixir that will suit the requirements, suit the expectations, if you will, of the public at large. Some of them think we are grossly overpaid now and grossly underworked. Very few of them, from anything I have ever seen, feel we should be in a position, first, to



establish our own pay; and second, to establish any kind of increase.

What we did in my own community at that time was to take the annual inflation index and simply use that as the guideline that would be the increase that would be allowed to the members of council and also to the mayor. I am not saying this is the answer to the problem. I am simply saying it was one solution that happens to be in place to this very day. Some six years after I left that council it still operates by the same rules we put in place at that time.

I have some problems with it because obviously the spending on the part of the various levels of government contributes to the inflation index in some fashion. If you take more taxes out of the system, if you balloon spending in whatever fashion, you can have an influence over how quickly that inflation index is going to go up. Of course, this is stretching the logic to some extent, particularly on a municipal council, but you might influence and you could have some small marginal impact on what that inflationary increase might happen to be.

All I can tell the members again is that in that circumstance the council worked with the annual inflation index prepared by the federal government. They applied that as the formula that would be used for their pay increases. To this day it has remained in place and it has remained effective and with a limited amount of controversy; not none, but at least a limited amount of controversy.

I think that is partially what we are looking for here. Looking at the pay structure that the Leader of the Opposition read out for some members here in the House today, I do not think anyone got into this honourable profession with the idea of or anticipated getting rich in this profession. That is not why we are here. Whatever our partisan persuasions might happen to be, I happen to have a tremendous feeling of respect for the profession we have chosen to serve in. I have a tremendous respect for the historical concept of this House we are in at this very moment.

For those reasons, I believe the pay should be a realistic one, not a large, large increase. I do not have a figure in mind any more than most members do, but it should be established in some independent, arm's-length fashion that would allow us to go back and say, when we are responding to our constituents: "We did not set our own pay. We were not responsible for the ultimate, final result of whatever that recommendation might happen to be."

It is for this reason—I will not go on at great length—that my colleague the House leader for our party and the very well respected member for Nipissing (Mr. Harris) is going to discuss, when we get into committee on this question, a series of amendments and recommendations which will remove the process from the Legislative Assembly and will allow the process to be placed in the hands of a finance commission, an electoral commission of some kind, that will bring in recommendations after careful analysis based on whatever criteria it feels are appropriate in the particular instance. Then those recommendations will be brought forward, and I add—this is an important question—will be binding upon the Premier, the cabinet and this House.

If we get into showboating and grandstanding and somebody, because he feels the increase perhaps is too large or the increase is not large enough, wants to find a way to play around with the proposals and the recommendations—many of us have seen this happen on local councils, where somebody who complained bitterly about the level of pay in the back room took a public position which was an entire about face because he got in front of the media and wanted to play the good guy and pretend that he was not interested in the pay increase. I have seen instances where the majority of council bit the bullet and agreed to a modest increase while somebody else showboated and voted against it, knowing only too well that that one individual thought the increase should have been even higher. I see some members nodding because they know from what I speak.

**Mr. Neumann:** They donate it back.

**Mr. Brandt:** There have been occasions when they have donated it back, I understand.

The question before us is, how do we want to handle this very sensitive topic? We can continue on the way we have gone, which places the full responsibility in the hands of the Premier. I do not think it is fair to the Premier to have to make this decision. I served as a member of the executive and a member of the cabinet for some number of years. I know the differential between those of us who sit in the back benches and are ordinary members and the amount of money given to cabinet ministers. If you take a straight percentage increase year after year, the gap will widen.

Maybe that gap widening does not bother members, but taken over a long enough period of time it means that what was right in 1970 perhaps can, under no logical kind of comparison, be right in 1988, because the gap, on the basis of a



percentile increase right across the board, means that more and more money is going to be going to one group of people and, by comparison, less money to another group of people. So that has to be looked at.

**Mr. R. F. Johnston:** It used to bother John Sweeney.

**Mr. Brandt:** I understand that there was a point in time when some of the members of the current cabinet were bothered by that, and perhaps that was when they were in opposition and the circumstances were different; but we would like to be a part of the solution on this question, as members of the third party, rather than part of the problem.

We offer a nonpartisan, straightforward, businesslike approach which limits the amount of controversy, limits the amount of public perception, if you will, as it relates to this question. We offer that, perhaps not a 100 per cent solution, perhaps not a totally perfect solution, but one that I believe is a quantum leap forward in the right direction.

I would ask members to listen carefully, with open minds, to what the member for Nipissing is going to say when he relates his suggestions to them in regard to our amendments. We will put those forward in the light of us all going now to share this four-month holiday that is coming up. I said that in jest, Mr. Speaker, because earlier, before you arrived, I made it very clear that we do not have a very extended holiday period coming up, that in fact most of the members will be back in their constituency offices working very hard.

I want to close my remarks simply by saying I appreciate the dilemma that we have today. On one hand, it is a question of whether we vote for the increase that is being proposed, which is a straight percentile increase, based on the Premier's best judgement—and I am not going to question that; were I in his position, I might have made exactly the same decision he made.

The fact of the matter is, however, I take strong exception to the process and it is to the process that I tried to address my remarks today, because the process is wrong. The process should not compromise us as members. The process should not take into question the kind of workload that we have, the kind of effort and responsibility we carry. It should be a process that, when all objective views are taken of how we are reimbursed for our efforts, it is simply done fairly, equitably and in a balanced way relative to the pay that other members of society receive.

As an example—and I was going to close off but I will give these examples very quickly—it would not surprise members to know that many schoolteachers receive far more than a member of the Legislative Assembly or that there are people who are in the proud profession of policing or firemen who receive far more than we do. Maybe that is right and maybe that is wrong, but the public perception that we are at the trough, if you will, that we somehow have our hand in somebody else's pocket all the time or that we are taking advantage of our privileged position as elected members, is simply wrong.

All I want to see when we put forward our amendments is that we find a mechanism that is workable, that will satisfy the needs of all members of the House and that will bring us to a point with respect to this particular issue where we can all feel a higher level of comfort when we reach this time of the year than has been the case in the past, because it is a very uncomfortable time when we have to vote on our own increases.

1400

**Hon. Mr. Conway:** I have listened to this with real interest. It has been, as has been pointed out by the member for York South (Mr. B. Rae)—

**Mr. B. Rae:** Compounded, you might say.

**Hon. Mr. Conway:** The Leader of Opposition says something of compound interest. I have been in this assembly a little longer than he has, although I have not served in that other place and I know that some sense of experience elsewhere brings a comparative analysis that not too many of us here can share.

I imagine what the former member for Wentworth, and now chairman of the public service staff relations board might say, because I remember when I was first elected what the former House leader for the New Democratic Party and the former member for Rainy River and others as I recall, during the debate back in the mid-1970s when I was first elected, were saying.

For example, as I listen to the member for Sarnia, the leader of the third party, I remember well the circumstances of the mid-1970s. I think the then leader of his party, who at the time happened to have been the leader of the government, was involved in an interesting adjustment, I think prior to the call of an election in September 1975. I may be wrong, but I think there was some discussion at that time. It has been, as members have pointed out, an issue of some real debate, both in this chamber and elsewhere.

It has also been noted that we do this at this time of the year. As I recall the situation when I

was first elected—my friend the member for Windsor-Riverside and certainly the member for Nickel Belt (Mr. Laughren) might want to correct me on this—this matter was dealt with at another time of the year. I think it was about the end of June, just before we adjourned for the summer recess. It came about that it moved along in the calendar.

What we have before the assembly in Bill 79 is, we think, a fair and reasonable increase in this year, recognizing that the inflation rate, the cost of living, has been in the 4 per cent to 4.5 per cent range. I think the consumer price index for this period of time is something in the neighbourhood of about 4.5 per cent.

The member for Algoma (Mr. Wildman) asks about process and I want to talk about that in a moment. I think it is true to say that the Leader of the Opposition is right in that times have changed. I remember when I was first elected, my grandfather, who had served in this assembly for the better part of five parliaments, 16 or 17 years, as one of the first things he wanted to know asked what I was being paid. When I told him that in 1975 I was being paid \$15,000 as an indemnity and \$7,500 for expenses, that seemed to be quite a lot by reference to the rate that was paid in 1929 when he was first elected. As the Leader of the Opposition has pointed out, there have been significant changes in the way this assembly sits and works in the intervening years.

There have been other changes as well on a number of related factors that I think have not been touched upon in this debate. I was interested when the Leader of the Opposition was taking us through the blue book about who received what indemnification for committee work. I have probably pored over those accounts as closely as anyone in this assembly. I used to find it very interesting just to see what was happening. I always wanted to see what I was spending and what was being registered in my name.

**Mr. R. F. Johnston:** Now we don't know.

**Hon. Mr. Conway:** The accounts are fairly straightforward in most of that regard, I say to the member for Scarborough West (Mr. R. F. Johnston).

I do not want to go on at too great length on this. I simply want to put the case that on the increase for this year, 1987, a year in which the consumer price index is in the 4.5 per cent range, an increase of 4.4 over that 12-month period is, I believe, fair and reasonable. That certainly is the view that—

**Mr. Brandt:** If the base is correct.

**Hon. Mr. Conway:** The member for Sarnia talks about the base. Again, I do not want to go on at great length. I well remember one of his most esteemed colleagues telling me about five years ago that if the day ever came that, for example, I should serve on an executive council, I might appreciate that things were not quite as I imagined them as a private member. I remember vigorously resisting that, saying it could not be so. My friend's former colleague—he has gone on to other things; I will not dare indicate the place because it would quickly identify who I am talking about—was not all wrong.

We have, I believe, a fair and reasonable proposal on the matter of members' salaries before the House at the present moment in so far as an annual adjustment is concerned, but the question has been raised by members opposite about process. I would like to make a couple of comments in that connection.

We are always, it seems, in this assembly able to consider changes to process. We have had some discussions informally about—I guess I cannot speak to amendments that are not yet before the assembly, but I would be the first to say it would be an unwise person who did not try to put in place processes that are more effective than what might be the case presently.

**Mr. B. Rae:** What is that? Say that once again?

**Hon. Mr. Conway:** I say to the Leader of the Opposition that it would be an unwise person—

**Mr. B. Rae:** I thought I was listening to Allan MacEachen. I couldn't believe it.

**Hon. Mr. Conway:** I say to the Leader of the Opposition and his colleagues and the members of the third party that it would be an unwise person who locked in place a process imagining that it could not be improved upon.

I have to say to the Leader of the Opposition that I do not share his view, if it is his view, that an independent commission might be established which, working in happy harmony, would produce a result which would in many cases lift the burden of responsibility from elected members. That is just my view. I do not think that kind of paradigm is the happy world the Leader of the Opposition imagines.

I heard his view, I think very eloquently and strongly argued. I have had this discussion with a number of other members. "Why do you not just do this, because then it will be out of our hands and will be seen as a better process?" I am not so sure that is my own point of view.

**Mr. R. F. Johnston:** As long as June Rowlands isn't a commissioner.



**Hon. Mr. Conway:** The member for Scarborough West talks about the view offered by a member of Toronto city council, as reported, according to the Leader of the Opposition I think, in one of the Toronto newspapers today. Again, I would just take note of those comments as offered by my friends opposite. I know the lady in question and we have discussed a number of issues over the years. When I was first elected, she was the director of our research office, as I believe the present member for Beaches-Woodbine (Ms. Bryden) was the director of the research office for the New Democratic Party.

1410

I just want to make the point that one sits here on a daily basis and hears the government roundly condemned for what is done, apparently in its name, by independent agencies, boards and corporations. Do any examples come to mind, I ask honourable members, these past few days? I can think of some very, very independent outfits that did a number of very colourful things, and there are a number of people in this place who would have us believe that there was not very much independence about that at all, that somehow the executive council must have been more responsible than is alleged.

**An hon. member:** I have no idea what you are talking about.

**Hon. Mr. Conway:** The member for Windsor-Sandwich (Mr. Wrye) says he has no idea of what I speak, and that might be just as well left at that.

I say to my friends opposite that I think the people of this province expect us to behave responsibly in this respect and I think this is responsible legislation. It is quite clear that there is, as always, a difference of opinion about what is appropriate, given the consumer price index and other things. I have to indicate that—

**Mr. R. F. Johnston:** That Bob Nixon shroud is falling over the whole place.

**Hon. Mr. Conway:** I am going to conclude my remarks, lest the member—

**Mr. R. F. Johnston:** You are just lucky you are not elected as House leader. Look at your back-benchers.

**Mr. Speaker:** Order.

**Mr. B. Rae:** I have had better responses from the chamber of commerce than you are getting from your own members.

**Hon. Mr. Conway:** I have to tell members that I have had some very considerable experience in this matter with the members of the New

Democratic Party. I think of one member who is no longer here, who used to, in this matter, encourage a private debate in the corridors of this place that was always interesting.

I say in conclusion that the bill before us is a bill which increases the indemnities and the allowances paid to all members under the Legislative Assembly Act by 4.4 per cent in this year, 1987. We think that is reasonable. We think that is fair. I simply submit to my colleagues that if over the course of the coming months and years, in this parliament at least, they want to discuss some of the particular anomalies—the Leader of the Opposition mentions, for example, the relationship in rates of pay as between the Leader of the Opposition and the leader of the third party—that is a debate we can have, it seems to me, at some future date.

We want to recommend this bill for the consideration and approval of this assembly, and it is for that reason that I am quite happy to do that at the present moment.

Motion agreed to.

Bill ordered for committee of the whole House.

#### EXECUTIVE COUNCIL AMENDMENT ACT

**Hon. Mr. Conway** moved second reading of Bill 80, An Act to amend the Executive Council Act.

**Hon. Mr. Conway:** Very briefly, the intent of Bill 80, the Executive Council Amendment Act, 1987, is to increase salaries paid under the Executive Council Act to members of the executive council by 4.4 per cent.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

#### LEGISLATIVE ASSEMBLY AMENDMENT ACT

Consideration of Bill 79, An Act to amend the Legislative Assembly Act.

**The Deputy Chairman:** Does any honourable member have any comments, questions or amendments to be offered with respect to Bill 79, and if so, to which sections?

**Mr. B. Rae:** I know the House leader for the third party will want to comment on this, but I do want to give notice that we do intend to move amendments to section 8 of the bill, and there are some other amendments that I know my colleagues are going to move as well. We will be moving those in concert. We have some amend-

ments that we want to move in co-ordination with the third party.

**The Deputy Chairman:** Are there any amendments to sections 1 through 8 of the bill?

**Mr. Harris:** I do not think so.

Sections 1 to 7, inclusive, agreed to.

On section 8:

**The Deputy Chairman:** Mr. Harris moves that section 8 of the bill be struck out and the following substituted therefore:

"Sections 1 through 7 of this act shall be deemed to have come into force on the 1st day of April, 1987."

**Mr. Harris:** I have other sections. Shall I read them all into the record?

**The Deputy Chairman:** Mr. Harris moves that the bill be amended by adding thereto the following as a section of the act:

"8a Sections 60 through 69 of the said act, as amended by sections 1 through 8 of this bill, be repealed and the following substituted therefore:

"60(1) There should be a commission composed of three persons who are officers of the assembly.

"(2) The Lieutenant Governor in Council shall appoint three persons to the commission on the address of the assembly.

"(3) The persons appointed shall hold office for a term of five years and may be reappointed for a further term or terms.

"(4) The persons appointed as members of the commission may be removed before the expiration of the term of office, by the Lieutenant Governor in Council for cause on the address of the assembly.

"(5) The members of the commission shall be paid such remuneration and allowances as are fixed by the Lieutenant Governor in Council.

"(6) The employees and officers that are necessary for the performance of the duties of the commission shall be members of the staff of the Office of the Assembly.

"61. The commission shall report annually upon the affairs of their office to the Speaker of the Assembly, who shall cause the report to be laid before the assembly.

"62(1) The commission shall establish annually, as of March 31 each year, the indemnities and allowances to be paid to all members of the assembly, all members of the executive council, and all parliamentary assistants for the following fiscal year.

"(2) The commission may make such differentiation in allowances and indemnities for each member of the assembly, each member of the

executive council, and each parliamentary assistant as they see fit."

**1420**

Mr. Harris also moves that the bill be amended by adding thereto the following as a section of the act:

"8b Section 8a of this act shall be deemed to have come into force on the 1st day of January, 1988."

**The Deputy Chairman:** I have had a chance to briefly—

**Mr. B. Rae:** Madam Chairman, before you make your decision with respect to whether the matter is in order, I wonder if I might be permitted to further amend the motion moved by my colleague the member for Nipissing (Mr. Harris). At that point, you can then make a decision. It is a subamendment to his amendment. If you are going to rule them both out, I would like to get them both on the record. If you are going to rule them both in, I would like to have them discussed.

**The Deputy Chairman:** Yes, I am quite prepared to hear the Leader of the Opposition.

Mr. B. Rae moves that after the words "parliamentary assistants" in the fifth line of the amending section 8a, subsection 62(1) of the act, the following be inserted:

"Leaders of recognized parties, House officers for all parties, officers of the House, judges and justices of provincially appointed courts, deputy ministers, appointees by orders in council and other positions as may be determined from time to time, and that decisions from this commission be final and enacted in their whole."

**Mr. Harris:** I wonder, Madam Chairman, if it would be possible to deal with section 8a first as opposed to section 8.

**The Deputy Chairman:** I have had a chance to review this and I feel section 8a should be dealt with first with respect to that. Do I have the unanimous agreement of members of the House?

Agreed to.

**The Deputy Chairman:** It is my ruling that section 8a is out of order for three specific reasons. One, the purpose of that amendment is to change the existing mechanism for fixing members' salaries. It was not contemplated in the bill itself as it was introduced, Bill 79. It is beyond the scope of the existing bill and is inappropriate.

Also, with respect to the amendment, subsection 62(1), this is a money bill. It is an amendment that can only be moved by a minister of the crown. The subsection has the effect of



specifically directing an allocation of public funds contrary to section 15 of the standing orders.

Also, with respect to subsection 62(1), it purports to deal with members of the executive council other than the Premier himself. As a result of that, it is not within the scope of the Legislative Assembly Act.

For those reasons I rule that the amending section 8a is out of order.

**Mr. D. S. Cooke:** Madam Chairman, I know we are not supposed to debate your rulings, but perhaps you can clarify a couple of matters for me. The bill that is before us is a bill that sets the wages for members of the assembly. That is the process currently in the Legislative Assembly Act. The bill comes before the Legislature, is proposed by the government and we pass judgement on the bill.

The amendment proposed by the member for Nipissing is changing that process but is dealing with exactly the same matter, and that is the setting of wages for the members of the Legislative Assembly. I do not understand why those two items would be in conflict.

With regard to the expenditure of funds, you are contemplating that the commission would recommend the expenditure of funds. We deal on a regular basis in this place with the suggestion that boards, commissions and committees be set up, all of which do cost money, but we deal with those kinds of amendments all the time.

There is not an expectation or a requirement that this commission that would be set up by the amendment would result in an increased expenditure in funds for the wages of the members of the assembly. In fact, it is possible that they might even recommend a lowering of the wages. Who knows? But they could recommend any of a variety, so I am not sure how you can make the ruling the way you have.

**The Deputy Chairman:** On my first point on the proposals that change the existing mechanism for fixing members' salaries, it is my opinion that indeed this changes it substantially beyond the scope of the proposed bill, that it goes far beyond that and that this amendment should be as a new bill itself.

**Mr. B. Rae:** Madam Chairman, hearing your ruling, and since this is the Legislative Assembly Act, I can certainly appreciate why giving the commission the power to deal with salaries of deputy ministers and judges would be to go beyond the scope of the Legislative Assembly Act; so in the interests of reaching a fair conclusion, I would certainly be prepared to fight

that battle another day, with the notice to the House that I certainly intend to do so. But I honestly must say that I do not see how a bill which amends the salary level of members cannot be amended so that we can talk about a process which will have very much the same subject matter. I find it hard to see how that is out of order.

**Mr. Harris:** I concur with the leader of the official opposition that perhaps his amendment can be construed as something substantially different. I wonder if you wanted to reflect on section 8a without the amendment of the leader of the official opposition and give us any reason.

We are talking about a bill that has been introduced, that affects the salaries of every particular member of the Legislature. Our amendment deals with the process that is to take, and I do not think, if you look at the Legislative Assembly Act, that what we are proposing is substantially different from what has been the practice.

There has been a commission, a different commission from this one. We are proposing to change the commission that will make the recommendations from the election expenses commission to this commission. In fact, as has been pointed out by others, we are not talking about the expenditures or the commitments of funds necessarily, and in fact it may save the government some money.

**Mr. Breagh:** Madam Chairman, I appreciate that in your previous ruling I could see where one might have found that that did expand it beyond the scope of the bill. That subamendment having been withdrawn, however, we would now be dealing solely with the amendment put forward by the member for Nipissing, and it does seem to me that the confines of that amendment are somewhat different and the normal rules that you might reflect upon should be seen in a different light.

I would caution that a quick ruling on the matter is not going to solve the problem. I would urge you to reflect very carefully that what has been proposed in that particular amendment which is now before us does not clearly go beyond the scope of this bill. It does not clearly call for the expenditure of money. It does specifically ask that a question be investigated by a commission. Now, whether that would cause money to be expended or not would be solely at the discretion of the government.

What we have before us at the moment is precisely something which is clearly within the scope of this bill, without question. What you



have before you now is something which clearly does not require the expenditure of money. That would be dependent solely on whether or not the government chose to expend money by order in council or by some other means to do that.

1430

I would urge you to reflect with great care upon this. This is a matter of some considerable sensitivity, and we ask that you reflect on the matter. What is before you now is, to repeat, clearly within the scope of this bill. The matter of whether or not it calls for the expenditure of money is something which the government would have at its discretion, but the amendment that is before you does not entail the expenditure of money.

I would urge you, if you choose to make your ruling now, to do so with great care and great caution, not just because it happens to be a matter that is near and dear to our personal pocketbooks but also because you are going to set a most unfortunate precedent in here. You are going to get the assembly itself into some very great problems if you say we cannot amend an act to set up a commission to look at something.

If that is the ruling which you make here this afternoon, though it is probably in the government's interest to do that, I am going to tell you that it may be this afternoon but it will not be on most other afternoons and you are going to rue the day that you ruled this thing out of order. You could vote it down—that is fair, I suppose—but to establish a precedent here this afternoon that no bill can be amended which establishes a commission is going to be something which is going to be really difficult for this assembly to live with, not just today but on other days.

There will be many other days when you are going to have a very unfortunate precedent set here, so I would ask the chair to reflect on the matter carefully and to give some due consideration to the matter, that the consequences of establishing this precedent this afternoon are going to be very tough for the assembly to live with for a long time.

**Hon. Mr. Conway:** I just have to say that I think my friend the member for Oshawa (Mr. Breaugh) will know better than any of us, this is really out of order. We are debating a ruling. I would like to see if I can help take the temperature down a bit here by suggesting that these are complicated matters. There is a very complicated set of amendments here. My concern is that inadvertently, if these amendments are accepted as a package, the honourable member has done just the reverse. For the first

quarter of 1988, he has provided no mechanism to pay members of this assembly anything either in terms of base—

**Mr. Wildman:** We're dealing with process.

**Hon. Mr. Conway:** No, that is not so if we take the two together. At first blush, my worry is that he has done exactly what he does not want to do, which is to take away any mechanism. He has repealed the sections under which we are paid anything at the present moment and has put in place a new mechanism which is not going to pay anybody anything until the beginning of April 1988.

My point is, I am just wondering if I can give the assurance that we will discuss these process matters somewhat further—and I give that assurance—so we can all be spared this current confusion over some of these technical matters that apply to these particular amendments.

**Mr. D. S. Cooke:** I suggest to the government House leader that one way of dealing with this would be to adjourn debate on this matter now and come back to it in the week of February 8, at which time, if he is making a commitment—I certainly can speak for our party, and I think the Progressive Conservative Party agrees—the parties can get together over the next few weeks and look at the process and properly draft an amendment that would set up an independent mechanism. We can deal with it in the week of February 8.

**Hon. Mr. Conway:** I just want to be clear on what you want us to do. The government has a pay bill for members before the assembly, and we believe that is fair and reasonable. There is a question of process. I want to give the assurance that I am quite prepared, on behalf of the government, to talk to my friends and colleagues in the opposition about that because a number of the points they have raised are fair and ought to be considered further.

It is somewhat difficult in this context to do it in the here and now. I would recommend the passage of Bill 79, as it relates to indemnities for that period of 1987. Let us agree to talk about the process questions through the normal channels at the House leaders' panel as early as we can do that.

**Mr. D. S. Cooke:** I do not disagree with the House leader that it would be nice to pass these two bills today. I think members of the assembly are quite concerned that unless there is some time line in the House leaders' panel—as the minister refers to it—we will discuss the matter time and time again and we will get absolutely nowhere



with any new process. We have been discussing this for 10 years and we have never got anything.

The bottom line is that the government has veto power. The Premier (Mr. Peterson) makes a decision on this matter, not the other two House leaders. I think that if we set this matter aside now, commit ourselves to dealing with it in the week of February 8 and have this sitting after it had already passed second reading, that would put some time lines in it that we can look at the process in the week of February 8, pass this for 1987-88 in the week of February 8 and then make an amendment that will set the process for future years.

**The Deputy Chairman:** The member for Nipissing, then I—

**Mr. Harris:** I will concur, Madam Chairman. You have been very kind and very generous. I think, though, it is in recognition that there is a little problem here, perhaps for two reasons. One, as outlined by the member for Oshawa, is that we do not get into a ruling of perhaps significant precedent for this Legislature and in keeping with what has been brought forward by the House leader for the official opposition. We concur with the suggestion that we do adjourn at this moment without the ruling so that time can be brought to reflect on that; and respecting the wishes of the government House leader that, as well, a little more time and thought can be put into the amendment that has been put forward.

**Hon. Mr. Conway:** I am quite prepared to adjourn this debate and carry it forward to our next sitting in a month's time. I want there to be no confusion, however. Recognizing I have just looked at these amendments, my concerns are of a different kind. I think if we accepted these as a package, we would very possibly produce a result I do not think anybody intends. But that is just on first examination. I would be very happy to set this debate aside, to adjourn it now, and to return to it in February. I will make that a very clear undertaking.

I also want to make clear that the government stands by the rates of increase spoken of in both Bill 79 and Bill 80. We are prepared to entertain discussion about some of the procedural questions without prejudice. I want it to be absolutely clear that in saying this, I am not committing myself or the government to anything other than that discussion, some of which has been ongoing.

I do not like to see the chair put in this position. I like to look at these kinds of technical amendments with some care because, as I say, my concern is that there may very well be an

implication in this package of amendments which nobody expects, intends or wants.

**Mr. B. Rae:** If the House leader is proposing that the debate be adjourned without a ruling from the chair on this question, that the government undertake to discuss in its own ranks the question of procedure, as well as have that discussion take place among House leaders and, dare I suggest it, among ordinary members, and that we come back in the February week with an understanding that we will deal with whatever has been agreed to, that is acceptable to us.

If the House leader is telling us that he is not prepared to commit himself to anything because he has not discussed this matter with others, I perfectly understand that and I would not want to see him be put in the position of making undertakings he is not able to keep. No one wants to put a House leader in that invidious position.

He has a month to get to work. I say to ordinary members, this is it, guys. It is not going to come again. This is your only chance, so go to work.

**Mr. Harris:** As it was House leaders, I guess, who came to an agreement about what we would do during the week of February 8, I should indicate that we also would be prepared to add this to the agenda of the week of February 8 and commit whatever time is required in the interim, of House leaders or any other resources on behalf of our party to resolve this if we just adjourn this session of the committee of the House.

**The Deputy Chairman:** Is it the pleasure of the committee, then, that we adjourn this debate and proceed back to the House?

1440

**Mr. B. Rae:** If I may get in on this: you have heard, Madam Chairman, a number of questions about your ruling. I would ask that it be the understanding that there has been no final ruling with respect to the admissibility of any amendment.

**The Deputy Chairman:** I have already given my ruling with respect to it. If there are any amendments or changes that are going to be made to the particular amendment—

Interjection.

**The Deputy Chairman:** If a member is going to challenge that ruling, then we will have to do so through the appropriate standing order.

**Hon. Mr. Conway:** I was going to make the suggestion that we have another option, and that is that we can simply adjourn this debate for the moment—I would not mind some consultation with my colleagues the House leaders—and return to it later this afternoon to pick it up. I would like



a little bit of time to consider some of the options. I am just worried that we are hurtling along to a conclusion that may not be satisfactory to everyone.

**Mr. Breaugh:** Just one small point, Madam Chairman: I would accept and concur that you have in fact made a ruling on the amendment put forward by the member for York South (Mr. B. Rae). I would also argue that you cannot possibly have made a ruling on the motion put by the member for Nipissing since we can have only one motion on the floor at a time. The motion which was on the floor was the one put forward by the member for York South.

You could, of course—and you did—make a ruling that that was out of order. I would have anticipated that you would have been forced then to make a subsequent ruling on the motion put forward by the member for Nipissing as soon as it was called and put on the floor of the House.

My interpretation of the standing orders would be that you cannot have more than one motion on the floor at a time, that the question that you ruled on was the question of the amendment which was placed by the member for York South. That would be quite in order and you would have to say yes or no, that is in order or not.

Then the next thing the House would deal with would be the amendment that had been put forward by the member for Nipissing, and you would say yes or no to whether that was in order. You have not done so yet. I am going to plead with you not to do so.

**The Deputy Chairman:** I believe I asked for the unanimous consent of the House so that I could deal with all of them together, and I had that agreement. I then indicated that I was going to deal with amendment section 8a first and that my ruling was with respect to 8a, and that is the amendment that was moved by the member for Nipissing. That is my recollection. If you have any concerns, you can consult Instant Hansard.

**Mr. Breaugh:** I certainly have a different recollection from that, yes.

**Mr. Harris:** I would suggest that the government House leader move adjournment of the committee.

**Hon. Mr. Conway:** I am quite happy to do that.

On motion by Hon. Mr. Conway, the committee of the whole House reported progress.

#### ELECTION FINANCES AMENDMENT ACT

Hon. Mr. Conway moved second reading of Bill 81, An Act to amend the Election Finances Act.

Motion agreed to.

**Hon. Mr. Conway:** Just very briefly: my friends the House leaders for the opposition will recall that some days ago—actually some weeks ago now—we met at the invitation of the Commission on Election Finances to consider a number of matters, one of which arose from a provision written into the election expenses legislation last time, a year or so ago, I say to the member for Halton Centre (Mrs. Sullivan), who remembers these things better than I do.

I gather that as a result of that last change, having to do with the filings to the commission from a political party, there were some unintended difficulties, so that what members now have before them is a small amendment that responds to a recommendation made by the election expenses commission.

This amendment proposes that section 45 of the Election Finances Act be repealed. Section 45 relates to the filing of financial information whenever the chief financial officer of a political party resigns. I gather on the basis of the experience that the commission has had over the last year and some months that the additional requirement that whenever a CFO for a riding association or a party resigns there be an immediate filing on behalf of the organization has placed an unnecessary burden on the parties or the local associations.

Therefore, we have before us today bill 81, which I want to say again was developed in consultation with the commission and with the involvement of my friends in the opposition. Without further comment, I am pleased to submit that to the House.

**Mr. Harris:** We are totally in favour of the intent of this. I have been informed that the last time the Election Finances Act was before us, someone in our party actually suggested this amendment. We were roundly booed and it was turned down. I actually do not remember that but I was told that was what happened, so I should get it on the record, I suppose.

Any of those who have been involved in the meeting we had with the Commission on Election Finances could see no substantial benefit in requiring this particular audit. Aside from the cost to the province, I would like to get on the record the unbelievable amount of work the CFOs of our associations and our campaigns are required to do. It is an absolute miracle to me that we are able to find 390 people in this province to perform this chore. I guess that is just for the three parties represented in this chamber. It is more than that when you consider some of



the other—I hate to use the phrase “fringe parties.” With 16 seats, some might suggest we are bordering on that, I do not know. But to be able to find these people to put in the time and the effort gets worse and worse every year.

I want to get that on the record and I want to say we welcome anything that in any way makes it easier for them. In fact, this does so, because if one has to step down for whatever reason—usually the reason is they cannot afford to donate that amount of time to us any more—the act as it is currently written says they have to go through another year-end and get all the books ready and what not. Sometimes, if one moves away from your riding in November, you have to do a full year-end, a full audit, in November. You have to do another one the end of December, and it really does not make much sense. So we are very supportive of this particular amendment, and we think it brings it more in line with what should have been there in the first place.

Motion agreed to.

Bill ordered for third reading.

### THIRD READINGS

The following bills were given third reading on motion:

Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund;

Bill 19, An Act to revise the Race Tracks Tax Act.

**1450**

### EMPLOYEE SHARE OWNERSHIP PLAN ACT

Hon. Mr. Wrye moved, on behalf of Hon. Mr. Grandmaitre, third reading of Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation.

**Mr. Harris:** I want to briefly put on the record that this bill carries an amendment to it that in effect is a sunset provision for the particular piece of legislation, an amendment that I moved, an amendment that I have served notice I plan to move on every substantial bill that the government brings forward from now on, as long as I continue to represent the riding of Nipissing, and that I am hopeful the House will recognize as being important and necessary for some of the existing programs that the Ministry of Revenue and the government has on its books at this particular time.

It is my personal belief that there are far too many programs that are not measured as to their effectiveness. They may have been appropriate one year, and yet five, 10, 15, 20 or 100 years later they still carry on, in my view without enough review and without enough of a look by either the executive council or by the Legislature.

I want to say we are pleased to support the particular bill and I want to make note of that particular amendment that was accepted and I congratulate the minister for accepting the amendment and for sharing that view I put forward that makes sense. In this particular case, it is within five years that this program must be reviewed, if it is to carry on.

Motion agreed to.

### THIRD READINGS

The following bills were given third reading on motion:

Bill 21, An Act to amend the Ministry of Revenue Act;

Bill 25, An Act to amend the Travel Industry Act;

Bill 46, An Act to amend the Ontario Unconditional Grants Act;

Bill 51, An Act to amend the Employment Standards Act;

Bill 54, An Act to amend the Theatres Act;

Bill 55, An Act to amend the Upholstered and Stuffed Articles Act.

Bill 56, An Act to amend the Operating Engineers Act.

Bill 58, An Act to amend the Ministry of Colleges and Universities Act.

Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act.

Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food.

Bill 81, An Act to amend the Election Finances Act.

### CITY OF TORONTO ACT

Mr. Offer moved second reading of Bill Pr8, An Act respecting the City of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

### CENTRE FOR EDUCATIVE GROWTH ACT

Mr. Reycraft moved, on behalf of Mr. Morin, second reading of Bill Pr12, An Act to revive the Centre for Educative Growth.

Motion agreed to.

Third reading also agreed to on motion.

#### SPECIAL ABILITY RIDING INSTITUTE ACT

Mr. Reycraft moved second reading of Bill Pr13, An Act respecting Special Ability Riding Institute.

Motion agreed to.

Third reading also agreed to on motion.

#### YORK FIRE & CASUALTY INSURANCE COMPANY ACT

Mr. Cousens moved second reading of Bill Pr14, An Act respecting York Fire & Casualty Insurance Company.

Motion agreed to.

Third reading also agreed to on motion.

1500

#### ASSOCIATION OF REGISTERED WOOD ENERGY TECHNICIANS OF ONTARIO ACT

Mr. McGuigan moved second reading of Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario.

Motion agreed to.

Third reading also agreed to on motion.

#### SUDBURY CARDIO-THORACIC FOUNDATION ACT

Mr. Campbell moved second reading of Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation.

Motion agreed to.

Third reading also agreed to on motion.

#### 353583 ONTARIO LIMITED ACT

Mr. Reycraft moved, on behalf of Mr. Kanter, second reading of Bill Pr26, An Act to revive 353583 Ontario Limited.

Motion agreed to.

Third reading also agreed to on motion.

#### TORONTO SKI CLUB ACT

Mr. Lipsett moved second reading of Bill Pr54, An Act to revive the Toronto Ski Club.

Motion agreed to.

Third reading also agreed to on motion.

#### CITY OF WINDSOR ACT

Mr. M. C. Ray moved second reading of Bill Pr69, An Act respecting the City of Windsor.

Motion agreed to.

Third reading also agreed to on motion.

#### COMMUNITY YOUTH PROGRAMS INCORPORATED ACT

Mr. Carrothers moved second reading of Bill Pr70, An Act to revive Community Youth Programs Incorporated.

Motion agreed to.

Third reading also agreed to on motion.

#### CONRAD GREBEL COLLEGE ACT

Mr. Reycraft moved, on behalf of Mr. Epp, second reading of Bill Pr71, An Act respecting Conrad Grebel College.

Motion agreed to.

Third reading also agreed to on motion.

**Hon. Mr. Conway:** Mr. Speaker, I would like to seek unanimous consent to put a motion to have a short recess of five or 10 minutes.

**Mr. Speaker:** Seeing that there is such great disorder, we will have a recess for 10 minutes.

The House recessed at 3:06 p.m.

1534

House in committee of the whole.

#### LEGISLATIVE ASSEMBLY AMENDMENT ACT (continued)

Resuming consideration of Bill 79, An Act to amend the Legislative Assembly Act.

**The Deputy Chairman:** What is the wish of the committee? There had been a ruling made. Agreed?

Agreed. Then we will proceed with respect to Bill 79.

**Hon. Mr. Conway:** I just want to take this opportunity to repeat a comment I made earlier in this connection. The bill that is before is one that of course adjusts the salaries of members under the Legislative Assembly Act for the year 1987-88. The member for Nipissing has placed a package of amendments, and there has been, as well, an amendment from the Leader of the Opposition (Mr. B. Rae) which concerns process. I think it has been said that there is a concern about the process.

The member for Halton Centre (Mrs. Sullivan) and I were chatting the other day. She, of course, has had the experience that few of us in this assembly have had in that she has served on the Commission on Election Finances, the body that has been providing advice to the assembly about this question.



I recognize the concerns. I have spoken myself to the commission and to the chairman, both this chairman and his predecessor, and I repeat what I said earlier. I am quite prepared to continue the discussion about improving the process. The leader of the third party, who made quite an interesting speech recalling his municipal experience, was one today who talked about some procedural mechanisms that are in place elsewhere. I am quite prepared to look without prejudice, along with my colleagues, at these models.

We have a responsibility, it seems to me, to ensure that we have good mechanisms in place, so I just want to say to my friends in the assembly that this question is one that we have looked at in the past, I know not to the satisfaction of everyone on the standing committee on procedural affairs. It is quite clear from what has been suggested here today by way of this amendment that the concern about process is ongoing. I just commit myself again to work towards improving the process in a way that we can agree upon.

**The Deputy Chairman:** The member for—I keep forgetting—Windsor-Riverside.

**Mr. D. S. Cooke:** We all look the same.

I would like to see if the government House leader could be a little more specific. I have been a member for 10 and a half years now. The process was being reviewed then and it continues to be reviewed. In fact, the process is the same now in 1988 as it was in 1977 when I was elected. The Premier basically makes the decision.

I applaud the commitment by the government House leader to agree to review the process. I am wondering if he could be more specific as to when we are going to have a new process or how we are going to review it. When are we going to report back? Can he give a commitment that there will be a new process in place so that we will not go through this silly process again next year?

**Hon. Mr. Conway:** Let me just say to my friend the member for Windsor-Riverside—

**Mr. B. Rae:** Bob, go away.

**Hon. Mr. Conway:** I am reminded that it is a stormy day outside. The Leader of the Opposition is inviting the Treasurer (Mr. R. F. Nixon) to head out into the storm.

**Mr. B. Rae:** There is a snow job going on inside as well as outside.

**Mr. Breaugh:** There is more snow indoors than outdoors.

**Hon. Mr. Conway:** Now, now.

I want to say in reply to my friend the member for Windsor-Riverside just two things. I repeat

something I said earlier. One of the difficulties that I have with the package of amendments that are before us at this moment, this afternoon, and I have discussed this with my friend the member for Nipissing (Mr. Harris), is that—

**Mr. Harris:** They are not before us any more.

**Hon. Mr. Conway:** A good point. The member for Nipissing says they are not before us, but they do represent, as previously put, a possibility in so far as the process goes. One of the concerns I had with that is that package of amendments may very well have had some effects that were not intended.

**1540**

I say to the member for Windsor-Riverside that I very much enjoy the prospect and I look forward to the prospect of chatting with him and with the House leader of the third party as one good place to start this discussion. We have had some productive dialogue at that meeting place over the past fall. It is true. It has not produced everything that I know my friend the member for Nipissing would have wanted, but I can tell him that I would be very prepared at an early time, within the next couple of weeks or whatever, to sit down with the representatives, the two opposition House leaders, to hear from them on some of the issues that they have raised today with respect to process.

As a Liberal, I believe that what we have we can always make better. I want to commit myself sincerely to that dialogue with the opposition House leaders to review their concerns soon about the difficulties they see in this question of members' indemnification. I cannot give the member a commitment beyond that, but I am an honourable gentleman. I respect very much his views and the views of his colleagues and there certainly has got to be a way in which we can make some progress in this area.

**Mr. D. S. Cooke:** I will not prolong this any longer than it need to be. I get a little upset when the minister refers to these concerns about the process as being our concerns, as if he does not share any of these concerns and as if his back-benchers do not share any concerns. If we are starting from the point at which only the opposition parties are upset about the process, then we are never going to find a solution. If he is starting from the point and saying that the process as it now exists is unacceptable and he is willing to work with the opposition parties to develop a new process, then we might get someplace. I would feel better if that was the kind of commitment we were getting than the rather

wishy-washy commitment that he is giving to us today.

**Hon. Mr. Conway:** Let me restate that the bill that is now before the assembly we submit for consideration and approval, recognizing that there is not unanimous agreement on this. There never will be. There is a bill before this assembly that is here for debate and for passage. In the course of this debate, it has been indicated by the House that we ought to look at improving certain aspects of the process. I say no more than that. I commit myself to working with my colleagues in this assembly as to how we might do that. I do it honestly, honourably and with a desire to try to recognize a number of the concerns that honourable members of the assembly have raised.

**Mr. B. Rae:** The one comment I want to make is that in my experience, which is not exactly vast but it is of having always been admittedly in opposition, it is when ordinary members frankly speak out and talk among themselves and frankly talk to members of the executive council that we make some progress in these matters.

This is an issue in which ordinary members have an interest. It is their interests that are being debated and decided upon. I think it is entirely inappropriate that this should be seen as a matter on which leaders of the opposition are seen to be somehow presenting a partisan view. This is not a partisan question.

If I can put it in some context, when I came to this place, the Premier of the day said, "Jump." And 70 people said, "How high?" The idea that one would do something that was out of keeping with the decision of the Premier of the day, whether it was invest in Suncor or anything else, was seen as just being not on, inappropriate. When the question of separate school funding was announced, it was a surprise to everybody, including members of the executive council.

All I am suggesting is, here it is, it is a new ball game, I hope. As Leader of the Opposition, I am not prepared to defer to a world view that says that one person or a group of people, the cabinet, is going to continue to decide how this place operates. That is not the way it should be. I think ordinary members are going to have to start to reflect on that fact.

It is a new assembly. It is a new House. I can only say, on behalf of my colleagues, we do not intend to operate on that old basis and I make no apology for it whatsoever. We are not acting on behalf of 19 people, and the leader of the third party is not acting on behalf of 16 people. We are, frankly, speaking up for people who are not able to speak in this debate.

This is the first debate I have ever spoken to in terms of pay in which ordinary members have not had a word to say, apart from members of our party and members of the opposition, and I think that is deplorable. Nevertheless, that is the way it is today and that is the way it is going to be, I suppose, but it seems to me that members are entitled to speak their minds and entitled to know what is at stake here and to recognize we are not going to make any progress until the word gets through to the people who are making the decisions, and I can tell members those people are not in this assembly right now.

**Mr. Brandt:** I have just a brief comment. The question that is before us, as I stated earlier, is a question of process and a question of the individual rights of the members and the way in which those members wish to have their pay decided upon. We made the point very clearly that it is not an issue of whether it should be 4.4 per cent more or less. It is a question of whether or not the decision-making process should literally be vested in the hands, in the responsibility, of one particular person, namely, the Premier of this province.

For well over a decade now, this House has discussed this issue. For well over a decade, we have looked at various mechanisms and various means and ways of finding a response that would be somewhat less sensitive, if you will, in terms of the kinds of relationship we obviously have with establishing our own pay structure in this assembly. It is a very awkward question and it is one that no one feels very comfortable about getting up to speak on, because there is no way in which one can win with this particular issue. I fully appreciate that.

What we are looking for from the government is simply a position in which the government will indicate to us that it will fairly review this matter, take it into consideration and come back with a recommendation to us, either structured along the lines that we have proposed as a way in which we can proceed or perhaps some amendment of that, but to take the issue off the floor of this chamber in terms of the final vote, to take the issue out of the hands of the Premier and to put it into some objective, outside body that will make the decision in terms of reviewing what the compensation package for members should really be.

There are a number of issues that have come up when one talks in the corridors and in the hallways on an informal basis with the members of this assembly. Quite often one will hear some who have a great deal of discomfort, as an



example, with the fact that there is a tax-free allowance, that the tax-free allowance should be structured in another way, that it is an anachronism that goes back to many, many years ago when, in fact, it has no real application today. There are many members who would like to see that changed in some fashion.

But there is no way to have input into this question without looking as if you stand up in a self-serving sort of way, as though you are attempting to get more money in your own pocket. That is not really what the exercise is all about. The exercise is to remove from a political forum the decision with respect to our compensation.

We are struggling, as are the members of the Liberal Party, I hope—the back-benchers who have an interest in this question, as the members of the opposition do—in simply making sure that that compensation package is appropriate and fair and that it does not cause us this degree of discomfort in attempting to establish our own pay, because ultimately that is what we have to do when we vote in this chamber.

We get a recommendation that cannot be amended or it is out of order. It cannot be changed up or down or sideways or altered in any way, shape or form because it comes from the top man in the government, effectively.

I say that is wrong. I join with my colleague and friend the Leader of the Opposition (Mr. B. Rae) when he makes that point very clearly and I think very effectively. It is time we sat down and looked at a package that was perhaps a change of direction from what we have simply taken to be the case for so long in this particular chamber.

Sections 8 and 9 agreed to.

Bill ordered to be reported.

1550

#### EXECUTIVE COUNCIL AMENDMENT ACT

Consideration of Bill 80, An Act to amend the Executive Council Act.

Sections 1 to 3, inclusive, agreed to.

Bill ordered to be reported.

On motion by Hon. Mr. Conway, the committee of the whole House reported two bills without amendment.

#### THIRD READING

The following bill was given third reading on motion:

Bill 79, An Act to amend the Legislative Assembly Act.

#### EXECUTIVE COUNCIL AMENDMENT ACT

Hon. Mr. Conway moved third reading of Bill 80, An Act to amend the Executive Council Act.

**Mr. Speaker:** Mr. Conway has moved third reading of Bill 80. Is it the pleasure of the House that the motion carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the ayes have it.

Motion agreed to.

**Hon. Mr. Conway:** Mr. Speaker, I would like unanimous consent to revert to motions.

**Mr. Speaker:** Is there unanimous consent?

Agreed to.

#### MOTIONS

##### COMMITTEE BUSINESS

Hon. Mr. Conway moved that the standing committee on finance and economic affairs be authorized to consider and report on the Canada-US trade agreement, sessional paper 108.

**Mr. Harris:** This particular motion is one of the most offensive motions that I believe any government could bring in to the Legislature and ask us to consider.

**Mr. Neumann:** Here we go.

**Mr. Harris:** No, we are not going to go back over all the arguments, but I think that surely with what has happened and what has occurred over the past four weeks, members would not expect me not to have a few words to say about this motion.

This speaks, in my opinion, to what the Premier (Mr. Peterson) and, by their acquiescence, the rest of the executive council and the members of the Liberal Party, really think committees are all about. We have just been through a discussion on another matter, where affairs affecting all of the individuals of this chamber are decided upon by one person. I personally do not think that should be the case; that should not be the way it is done. I personally do not think any of us should be doing that. That is why I tried to move an amendment which, as members have heard in the ruling from the chair, is one that has to be brought forward by a member of the executive council. It cannot be brought forward by a back-bench member or a member of the opposition. One man, again, is making a decision that affects us all.

This motion says to a committee: “We do not care what you find. We do not care what you think as individual committee members. We do

not care what the public thinks. We do not care what you find out when you study this agreement in detail. We do not care what any of the companies, individuals, unions or people in this province who come before the committee have to say about the free trade agreement. We have already taken our position in the Legislature."

This is now not only the Liberal Party's position; it has forced through a position that is this Legislature's position. That means it is their position and, by virtue of my association with this Legislature, it is my position. It has already been decided; that is it; it is final; it is complete.

I say to the House leader of the government party and to the Premier, who has come into the chamber, that this motion is very offensive to me and to my party, and I think it should be equally offensive to every member of the finance and economic affairs committee that they should be thought so little of. They are going to be asked to study this agreement and they are going to be asked to hear what the public has to say. It makes no rational sense to me.

We just finished a discussion on the pay bill. Many who will sit on that committee are going to get 68 bucks a day or whatever it is; maybe it will now be \$69.71 with the 4.4. If ever there will be a waste of \$69.71 for the individuals who sit on that committee, that has to be it because the committee members have been usurped of any power, any recommendation, any consideration of what they find out.

I do not want to go over the whole ground, but I think it would not be right if I did not comment on behalf of my party on this motion and what it says about how one man thinks this place should be run.

**Mr. Laughren:** I will be very brief as well. In this caucus, we are worried about the committee work around this place. This is not the first example of one of the opposition parties being upset about the way committee work is done around here. For example, my colleague the member for Algoma (Mr. Wildman) has sent a letter to the standing committee on the Legislative Assembly expressing his concern about the working of committees.

I put to the members that one of the key aspects of the work that is done around the Legislative Assembly is committee work. It seems we are always talking about the back-benchers in the assembly, but this is one of the things that gets back-benchers in this place involved in the process. Any actions that demean the committee process demean the role of ordinary members in this assembly.

I do not know all of the changes that have been made, but it is my understanding that in the federal House the committees have been given more independence and play a much more meaningful role than they did previously.

**1600**

I would urge the government to think seriously about the role of committees around here because I really believe, and perhaps it is a self-serving argument when I make it, that the committees do a lot of very good work. They legitimize a lot of what the cabinet decides are the priorities around this place. If the cabinet wants the committees to continue to do that kind of work, then it has to provide them with the kind of support they need. I am not just talking about resources when I say "support," but making sure that the process is not demeaned.

The things that my colleague from Nipissing mentioned are among those things that can demean the work of committees. The comments of the Solicitor General (Mrs. Smith) earlier about committees also demean the work that committees do and demean the role of committee members.

I would like to make sure the government understands the concern that many of us have about the role of committees because we happen to regard the work they do as very important.

**Mr. Speaker:** Are there any other members wishing to participate? If not, the government House leader may wish to wind up.

**Hon. Mr. Conway:** I want to make a very brief comment in agreeing, particularly with my friends from Nipissing and Nickel Belt. I want to say something because I think in his comments the member for Nickel Belt (Mr. Laughren) is very fair-minded and very accurate about the importance of committee work. I can say that from my point of view, and the member for Nipissing (Mr. Harris) has had the experience as well of serving on an executive council.

In real terms, for me personally, the best experiences I have ever had here, I have had as a private member—dare I say it?—on a couple of select committees. I think of the one on constitutional reform and the other on health care costs and financing. I do not recall a time in my experience as a private member—

**Mr. Laughren:** Vern Singer didn't even chair one of them.

**Hon. Mr. Conway:** As the member for Nickel Belt says, the former member for Downsview and Wilson Heights, Vernon Singer, QC, chaired neither of those select committees.



I am sorry to say this in the absence of the member for Scarborough West (Mr. R. F. Johnston), I have to say in my time as a minister I do not remember a more educational, a more interesting and more profitable time than the year of my life that I spent with the standing committee on social development that was so ably chaired by our friend the member for Scarborough West.

I think I can say from personal experience that the role of committees is important. I want to say for the last time, particularly for the benefit of my friend from Nipissing, that I had some difficulty with this whole question about the trade issue. It is surely to be said that the stated positions of the three parties in this province with respect to the trade agreement are well known.

I do not want to engage that whole debate this afternoon, but I look at that most interesting visage of the member for Sarnia (Mr. Brandt). The member for Middlesex (Mr. Reycraft) has the cherubic visage of the member for Sarnia.

I am reminded that it was here in this assembly some three weeks and some days ago—actually December 15, so it would now be three weeks and two days—that the esteemed leader of the Progressive Conservative Party of Ontario, standing in his place, put a resolution. I know the member for Nipissing is going to say, “Yes, but it was under the emergency debate motion.” I accept that. I would just ask people to reflect upon the nature of the position advanced by the leader of the Conservative Party and my good friend the member—

**Mr. Harris:** What you are saying is that if it comes to committee, nothing will change. We might be prepared to change our minds on a number of things.

**Hon. Mr. Conway:** I just want to recall what it is that, substantively, the motion of the leader of the Conservative Party advanced that day in December 1987. He said in this motion, “The business of the House be set aside so that the House might debate a matter of urgent public importance,” this is the important part, “that being the need of this House to endorse the proposed Canada-United States trade agreement, an agreement which,” and he goes on to cite, from his point of view, the reasons it is a good deal. I just refer to that because I think a person coming in here from Corunna or Point Edward might say, “I think I know where my member stands,” at least in one of those cases, “and where his party stands, in principle.”

It is obvious that the members of his party or the leader of the party are rather favourably

disposed to the agreement, and it is well known—certainly it seemed to me at that time—where the two other parties stood; not exactly the same, as has been pointed out by the member for Nickel Belt (Mr. Laughren) and others, but let none of us forget that by December 15 it was pretty clear to anyone who cared to examine the stated public positions of the three political parties on this question.

**Mr. Harris:** So you agree with us that the committee is a waste of time. That is what we are debating: that it is a waste of time.

**Hon. Mr. Conway:** I do not share the view of the member for Nipissing (Mr. Harris) that, having recognized that and having voted on the main question, a reference to the standing committee on finance and economic affairs is inappropriate or otherwise, except to say that the committee is going to continue its work in analysing the question of free trade.

At any rate, I just wanted to make those comments in putting that particular motion, and I have a second motion, if I might, Mr. Speaker.

**Mr. Speaker:** Perhaps it would be best if we put the first motion to the House.

**Mr. Harris:** On a point of order, Mr. Speaker: I am going to ask you to help me. I have been flipping here for the last few minutes to find out under what standing order my point of order falls.

**An hon. member:** Under 17(b).

**Mr. Harris:** No. But I asked you, sir, about a month ago if you would give us some indication—not a ruling, because the ruling would not have come up until this very moment—or consider giving us some direction on whether once a matter has been considered finally by the Legislature, as the vote yesterday finally considered the matter of the free trade agreement—

**Mr. Callahan:** You guys stole mine. I was going to rise on that.

**Mr. Harris:** Perhaps you can rise and help me, then, because I cannot find the standing order number. What is the standing order number?

**Mr. D. S. Cooke:** It is standing order 43.

**Mr. Harris:** Thank you. I rise on standing order 43: “No motion, or amendment, the subject matter of which has been decided upon, can be again proposed during the same session.” I would suggest to the House that it would be my view that yesterday, when we voted, we decided on the free trade resolution. We had a motion before us. It said, “Here is what we think of the

free trade resolution in its entirety," and we voted on that.

Now we have another motion before us in the same session that deals with a subject matter which, in my opinion, has been decided upon, and I would suggest to you, Mr. Speaker, that in fact this motion is out of order.

**Mr. Speaker:** I do recall the honourable member making some comment on this same subject on previous occasions. As I understand it, the motion that was passed just yesterday was a motion opposing the Canada-US trade agreement.

I will read today's motion to the honourable member and to all members: "Hon. Mr. Conway moves that the standing committee on finance and economic affairs be authorized to consider and report on the Canada-US free trade agreement."

In my view, I cannot see where actually it is dealing in the same manner. To me, the two motions are very different in their object and intent. That is as I read it, and this is the first time I have seen this present motion, but it is asking the committee to consider and report. I do not know what kind of report we will receive. Therefore, I feel it would be in order.

1610

**Mr. Neumann:** There is much to be decided.

**Mr. Speaker:** I will put the motion—

**Mr. Harris:** Can I ask you, Mr. Speaker—

**Mr. Speaker:** Yes.

**Mr. Harris:** I want to be clear. Standing order 43 says, "the subject matter of which has been" considered, and it is your ruling that the subject matter that is now referred has not been considered once and dealt with by this House. I think what you are ruling today has substantial implications on the way this House proceeds and the way it goes. I just want to be clear that you are saying the subject matter that this motion refers to has not, in your opinion, been dealt with by this House.

**Mr. Speaker:** That is exactly what I—

**Mr. Sterling:** We didn't deal with the free trade agreement?

**Mr. Speaker:** No. The subject matter here is that the standing committee on finance and economic affairs be authorized to consider.

**Mr. Sterling:** This is the subject matter.

**Mr. Speaker:** That is right. But the subject is for the committee to discuss, as I read it; so that is the way I rule.

All those in favour will say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

### COMMITTEE SITTINGS

Hon. Mr. Conway moved that the following standing and select committees be authorized to meet during the winter adjournment in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the Assembly, to examine and inquire into the following matters:

Select committee on constitutional reform to consider the 1987 constitutional accord.

Standing committee on administration of justice to consider Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates.

Standing committee on finance and economic affairs to consider and report its observations on the Canada-US free trade agreement, sessional paper 108.

Standing committee on the Legislative Assembly to consider Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office.

Standing committee on resources development to consider and report on safety in Ontario mines, including:

1. The implementation of recommendations on mining safety put forward by past commissions of inquiry, including the Provincial Inquiry into Ground Control and Emergency Preparedness in Ontario Mines, 1986;

2. Both provincially and nationally, the consultative mechanisms between labour, industry and government that identify hazards and put in place mechanisms to reduce or eliminate the risk of death and injury in the workplace;

3. The underlying causes of mining accidents and report on the major contributing factors thereto; and

4. To advise on additional initiatives needed to improve engineering, education and enforcement activities to reduce the incidence of injuries and fatalities in mines and mining plants.

Standing committee on the Ombudsman to consider the 1986-87 annual report of the Ombudsman.

Standing committee on general government to consider Bill 29, the Municipality of Metropolitan Toronto Amendment Act.



**Mr. Laughren:** I shall be very brief in discussing the motion moved by the government House leader. I did want to comment very briefly on the work that has been assigned to the standing committee on resources development. It has to do with the number of accidents and fatalities in Ontario mines. In the last 10 years there have been over 100 deaths in Ontario mines, and we do commend the Minister of Mines (Mr. Conway) for including in the speech from the throne a reference to that unacceptable level of accidents and fatalities and to have one of the standing committees deal with the issue.

There have been any number of commissions, task forces and committees to look at the problem but to my knowledge no committee of this Legislature has ever had that assignment. I think it is important that we do that.

Just to the end of October 1987, the first 10 months of 1987, there were over 4,000 accidents or incidents that required medical aid or lost time in Ontario mines. So we have a long way to go. What we do not know is the degree of fatalities through illnesses caused by working in mines.

It is our hope that the committee will be able to take a look at some of the underlying causes of the high accident rate and the fatalities, including a look at potential illnesses caused by working in our mines. The committee will be meeting for a total of five weeks in the break. I can assure members on the committee that there is nothing more bracing than Red Lake in February.

Motion agreed to.

**Hon. Mr. Conway:** Mr. Speaker, I am informed that the Lieutenant Governor awaits.

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

#### ROYAL ASSENT

**Hon. Mr. Alexander:** Pray be seated.

**Mr. Speaker:** May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

**Assistant Clerk:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund;

Bill 19, An Act to revise the Race Tracks Tax Act;

Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation;

Bill 21, An Act to amend the Ministry of Revenue Act;

Bill 25, An Act to amend the Travel Industry Act;

Bill 46, An Act to amend the Ontario Unconditional Grants Act;

Bill 51, An Act to amend the Employment Standards Act;

Bill 54, An Act to amend the Theatres Act;

Bill 55, An Act to amend the Upholstered and Stuffed Articles Act;

Bill 56, An Act to amend the Operating Engineers Act;

Bill 58, An Act to amend the Ministry of Colleges and Universities Act;

Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food;

Bill 79, An Act to amend the Legislative Assembly Act;

Bill 80, An Act to amend the Executive Council Act;

Bill 81, An Act to amend the Election Finances Act, 1986;

Bill Pr8, An Act respecting the City of Toronto;

Bill Pr12, An Act to revive the Centre for Educative Growth;

Bill Pr13, An Act respecting Special Ability Riding Institute;

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company;

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario;

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation;

Bill Pr26, An Act to revive 353583 Ontario Limited;

Bill Pr54, An Act to revive the Toronto Ski Club;

Bill Pr69, An Act respecting the City of Windsor;

Bill Pr70, An Act to revive Community Youth Programs Incorporated; and

Bill Pr71, An Act respecting Conrad Grebel College.

**Clerk of the House:** In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

RESPONSE TO PETITION

**Hon. Mr. Conway:** Before moving the adjournment, I wish to table the response to

petition, sessional paper P-6, standing in Orders and Notices.

MOTION

ADJOURNMENT OF HOUSE

Hon. Mr. Conway moved that when the House adjourn today, it stand adjourned until Monday, February 8, 1988.

Motion agreed to.

The House adjourned at 4:24 p.m.



## RESPONSE TO PETITION

### CANADIAN GYPSUM CO.

Sessional paper P-6, re emissions from Canadian Gypsum Co. plant.

**Hon. Mr. Bradley:** Ministry records indicate that 24 complaints were received in 1987 in respect to alleged emissions from CGC.

The 24 complaints received in 1987 were reported by 16 different people. Five of these complaints concerned an emission of rock wool insulation (product manufactured by CGC) on December 7, 1987, due to equipment failure. The company shut down the rock wool operation, reported the incident to the ministry and arranged for cleanup of the emitted material before the ministry received the five complaints.

The ministry's investigation and enforcement branch has received the December 7, 1987, occurrence report and has reviewed it with the ministry's abatement section. No further investigation is planned by the investigations and enforcement branch at this time.

While investigating complaints, conducting periodic observations and making plant inspec-

tions, ministry personnel have not confirmed contraventions of the Environmental Protection Act.

The company has applied for and received ministry certificates of approval in respect to the pollution control equipment installed on the company's process emission points, including the stack mentioned in the petition.

Investigations are being initiated by the ministry's abatement section to determine how the efficiency of existing pollution control equipment and the plant's operating and maintenance procedures can be improved so that the possibility of excessive point source and fugitive emissions is prevented at all times.

A similar study is presently being conducted by a consultant for CGC.

At the same time, ministry personnel will continue periodic observations of the plant and other plants in the area, and if adverse or excessive emissions are noted, appropriate action will be taken to enforce the requirements of the Environmental Protection Act.

**ALPHABETICAL LIST OF MEMBERS\***  
(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

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| <p>Adams, Peter (Peterborough L)<br/>           Allen, Richard (Hamilton West NDP)<br/>           Ballinger, William G. (Durham-York L)<br/>           Beer, Charles (York North L)<br/>           Black, Kenneth H. (Muskoka-Georgian Bay L)<br/>           Bossy, Maurice L. (Chatham-Kent L)<br/> <b>Bradley, Hon. James J.</b>, Minister of the Environment (St. Catharines L)<br/>           Brandt, Andrew S. (Sarnia PC)<br/>           Breaugh, Michael J. (Oshawa NDP)<br/>           Brown, Michael A. (Algoma-Manitoulin L)<br/>           Bryden, Marion (Beaches-Woodbine NDP)<br/>           Callahan, Robert V. (Brampton South L)<br/>           Campbell, Sterling (Sudbury L)<br/> <b>Caplan, Hon. Elinor</b>, Minister of Health (Oriole L)<br/>           Carrothers, Douglas A. (Oakville South L)<br/>           Charlton, Brian A. (Hamilton Mountain NDP)<br/>           Chiarelli, Robert (Ottawa West L)<br/>           Cleary, John C. (Cornwall L)<br/>           Collins, Shirley (Wentworth East L)<br/> <b>Conway, Hon. Sean G.</b>, Minister of Mines (Renfrew North L)<br/>           Cooke, David R. (Kitchener L)<br/>           Cooke, David S. (Windsor-Riverside NDP)<br/>           Cordiano, Joseph (Lawrence L)<br/>           Cousens, W. Donald (Markham PC)<br/>           Cureatz, Sam L. (Durham East PC)<br/> <b>Curling, Hon. Alvin</b>, Minister of Skills Development (Scarborough North L)<br/>           Daigeler, Hans (Nepean L)<br/>           Dietsch, Michael M. (St. Catharines-Brock L)<br/> <b>Eakins, Hon. John F.</b>, Minister of Municipal Affairs (Victoria-Haliburton L)<br/> <b>Edighoffer, Hon. Hugh A.</b>, Speaker (Perth L)<br/>           Elliot, R. Walter (Halton North L)<br/> <b>Elston, Hon. Murray J.</b>, Chairman of the Management Board of Cabinet (Bruce L)<br/>           Epp, Herbert A. (Waterloo North L)<br/>           Eves, Ernie L. (Parry Sound PC)<br/>           Farnan, Michael (Cambridge NDP)<br/>           Faubert, Frank (Scarborough-Ellesmere L)<br/>           Fawcett, Joan M. (Northumberland L)<br/>           Ferraro, Rick E. (Guelph L)<br/>           Fleet, David (High Park-Swansea L)<br/> <b>Fontaine, Hon. René</b>, Minister of Northern Development (Cochrane North L)</p> | <p><b>Fulton, Hon. Ed</b>, Minister of Transportation (Scarborough East L)<br/>           Furlong, Allan W. (Durham Centre L)<br/> <b>Grandmaître, Hon. Bernard C.</b>, Minister of Revenue (Ottawa East L)<br/>           Grier, Ruth A. (Etobicoke-Lakeshore NDP)<br/>           Haggerty, Ray (Niagara South L)<br/>           Hampton, Howard (Rainy River NDP)<br/>           Harris, Michael D. (Nipissing PC)<br/>           Hart, Christine E. (York East L)<br/>           Henderson, D. James (Etobicoke-Humber L)<br/> <b>Hošek, Hon. Chaviva</b>, Minister of Housing (Oakwood L)<br/>           Jackson, Cameron (Burlington South PC)<br/>           Johnson, Jack (Wellington PC)<br/>           Johnston, Richard F. (Scarborough West NDP)<br/>           Kanter, Ron (St. Andrew-St. Patrick L)<br/> <b>Kerrio, Hon. Vincent G.</b>, Minister of Natural Resources (Niagara Falls L)<br/>           Keyes, Kenneth A. (Kingston and The Islands L)<br/>           Kozyra, Taras B. (Port Arthur L)<br/> <b>Kwinter, Hon. Monte</b>, Minister of Industry, Trade and Technology (Wilson Heights L)<br/>           Laughren, Floyd (Nickel Belt NDP)<br/>           LeBourdais, Linda (Etobicoke West L)<br/>           Leone, Laureano (Downsview L)<br/>           Lipsett, Ron (Grey L)<br/>           Lupusella, Tony (Dovercourt L)<br/>           MacDonald, Keith (Prince Edward-Lennox L)<br/>           Mackenzie, Bob (Hamilton East NDP)<br/>           Mahoney, Steven W. (Mississauga West L)<br/> <b>Mancini, Hon. Remo</b>, Minister without Portfolio (Essex South L)<br/>           Marland, Margaret (Mississauga South PC)<br/>           Martel, Shelley (Sudbury East NDP)<br/>           Matrundola, Gino (Willowdale L)<br/>           McCague, George R. (Simcoe West PC)<br/>           McClelland, Carman (Brampton North L)<br/>           McGuigan, James F. (Essex-Kent L)<br/>           McGuinty, Dalton J. (Ottawa South L)<br/>           McLean, Allan K. (Simcoe East PC)<br/> <b>McLeod, Hon. Lyn</b>, Minister of Colleges and Universities (Fort William L)<br/>           Miclash, Frank (Kenora L)<br/>           Miller, Gordon I. (Norfolk L)<br/>           Morin, Gilles E. (Carleton East L)<br/>           Morin-Strom, Karl E. (Sault Ste. Marie NDP)</p> |
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**Munro, Hon. Lily O.**, Minister of Culture and Communications (Hamilton Centre L)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

**Nixon, Hon. Robert F.**, Deputy Premier, Treasurer of Ontario and Minister of Economics and Minister of Financial Institutions (Brant-Haldimand L)

Offer, Steven (Mississauga North L)

**O'Neil, Hon. Hugh P.**, Minister of Tourism and Recreation (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

**Patten, Hon. Richard**, Minister of Government Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

**Peterson, Hon. David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

**Phillips, Hon. Gerry**, Minister of Citizenship (Scarborough-Agincourt L)

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Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

**Ramsay, Hon. David**, Minister of Correctional Services (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

**Riddell, Hon. Jack**, Minister of Agriculture and Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the Committees of the Whole House (Elgin L)

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Ruprecht, Tony (Parkdale L)

**Scott, Hon. Ian G.**, Attorney General (St. George-St. David L)

Smith, David W. (Lambton L)

**Smith, Hon. E. Joan**, Solicitor General (London South L)

Sola, John (Mississauga East L)

**Sorbara, Hon. Gregory S.**, Minister of Labour (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)

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Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

**Ward, Hon. Christopher C.**, Minister of Education (Wentworth North L)

Wildman, Bud (Algoma NDP)

**Wilson, Hon. Mavis**, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

**Wong, Hon. Robert C.**, Minister of Energy (Fort York L)

**Wrye, Hon. William**, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

Vacancy: London North

#### MEMBERS OF THE EXECUTIVE COUNCIL

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Conway, Hon. Sean G., Minister of Mines

Bradley, Hon. James J., Minister of the Environment

Scott, Hon. Ian G., Attorney General

Riddell, Hon. Jack, Minister of Agriculture and Food

Eakins, Hon. John F., Minister of Municipal Affairs

Kerrio, Hon. Vincent G., Minister of Natural Resources

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Elston, Hon. Murray J., Chairman of the Management Board of Cabinet

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Fulton, Hon. Ed, Minister of Transportation

Kwinter, Hon. Monte, Minister of Industry, Trade and Technology

Munro, Hon. Lily O., Minister of Culture and Communications

Sorbara, Hon. Gregory S., Minister of Labour  
 Caplan, Hon. Elinor, Minister of Health  
 Fontaine, Hon. René, Minister of Northern Development  
 Ramsay, Hon. David, Minister of Correctional Services  
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 Ward, Hon. Christopher C., Minister of Education  
 Hošek, Hon. Chaviva, Minister of Housing  
 McLeod, Hon. Lyn, Minister of Colleges and Universities  
 Patten, Hon. Richard, Minister of Government Services  
 Phillips, Hon. Gerry, Minister of Citizenship  
 Wong, Hon. Robert C., Minister of Energy  
 Mancini, Hon. Remo, Minister without Portfolio  
 Wilson, Hon. Mavis, Minister without Portfolio

#### PARLIAMENTARY ASSISTANTS

Bossy, Maurice L.: assistant to the Minister of Housing (Chatham-Kent L)  
 Campbell, Sterling: assistant to the Minister of Mines (Sudbury L)  
 Chiarelli, Robert: assistant to the Chairman of the Management Board of Cabinet (Ottawa West L)  
 Collins, Shirley (Ms.): assistant to the Minister of Labour (Wentworth East L)  
 Cordiano, Joseph: assistant to the Minister of Intergovernmental Affairs (Lawrence L)  
 Ferraro, Rick E.: assistant to the Minister of Industry, Trade and Technology (Guelph L)  
 Haggerty, Ray: assistant to the Minister of Consumer and Commercial Relations (Niagara South L)  
 Hart, Christine E. (Ms.): assistant to the Minister of the Environment (York East L)  
 Henderson, D. James: assistant to the Minister of Colleges and Universities (Etobicoke-Humber L)  
 Kanter, Ron: assistant to the Solicitor General (St. Andrew-St. Patrick L)  
 Keyes, Kenneth A.: assistant to the Minister of Health (Kingston and The Islands L)  
 Kozyra, Taras B.: assistant to the Minister of Northern Development (Port Arthur L)  
 Lupusella, Tony: assistant to the Minister of Transportation (Dovercourt L)  
 McGuigan, James F.: assistant to the Minister of Natural Resources (Essex-Kent L)  
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 Morin, Gilles E.: assistant to the Minister of Community and Social Services (Carleton East L)  
 Neumann, David E.: assistant to the Minister of Municipal Affairs (Brantford L)  
 Nixon, J. Bradford: assistant to the Minister of Financial Institutions (York Mills L)  
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 Polsinelli, Claudio: assistant to the Minister of Treasury and Economics (Yorkview L)  
 Ruprecht, Tony: assistant to the Minister of Citizenship (Parkdale L)

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Ombudsman: chairman, Miss Nicholas; vice-chairman, Mr. Elliot; members, Messrs. Bossy, Carrothers, Charlton, Elliot, Henderson, Lupusella, MacDonald, McLean, Miss Nicholas, Messrs. Philip and Pollock; clerk, Todd Decker.

Public accounts: chairman, Mr. Philip; vice-chairman, Mr. Pouliot; members, Messrs. Balinger, Carrothers, Dietsch, Mrs. Fawcett, Miss Martel, Messrs. Offer, Pope, Runciman and Smith; clerk, Douglas Arnott.

Regulations and private bills: chairman, Mr. Fleet; vice-chairman, Mr. Beer; members, Mr. Cleary, Mrs. Fawcett, Messrs. McCague,



Pollock, Pouliot, Ruprecht, Smith, Sola and Swart; clerk, Tannis Manikel.

Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Wildman; members, Mr. Brown, Ms. Collins, Mrs. Grier, Mr. Leone, Mrs. Marland, Messrs. McGuigan, Miclash, Miller and Wiseman; clerk, Todd Decker.

Social development: chairman, Mr. Adams; vice-chairman, Mrs. LeBourdais; members, Messrs. Allen, Campbell, Cousens, Jackson, R. F. Johnston, McClelland, McGuinty, Mrs. O'Neill and Mr. Tatham; clerk, Franco Carrozza.

### SELECT COMMITTEE

Constitutional reform: chairman, Mr. Beer; vice-chairman, Miss Roberts; members, Messrs. Allen, Breaugh, Cordiano, Elliot, Eves, Mrs. Fawcett, Messrs. Harris, Morin and Offer; clerk, Deborah Deller.

\*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 36

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 34th Parliament**

Monday, February 8, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, February 8, 1988

The House met at 1:30 p.m.

Prayers.

## COMMISSIONERS OF ESTATE BILLS

**Mr. Speaker:** I wish to inform the House that the Clerk has received a favourable report from the commissioners of estate bills with respect to Bill Pr29, An Act respecting the United Church of Canada and The Canada Conference The Evangelical United Brethren Church.

Accordingly, pursuant to standing order 78(e), the bill stands referred to the standing committee on regulations and private bills.

## LEGISLATIVE PAGES

**Mr. Speaker:** Also, I would like to inform the members that we have with us today the second group of legislative pages to serve in the First Session of the 34th Parliament, 1988. Just so that their names and the ridings from which they come are on record, I would like to read their names:

Anthony Asturi, Muskoka-Georgian Bay; John Barrigar, Carleton East; Jennifer Blackett, Brantford; Heather Boyd, Sarnia; Patrick Chu, Halton Centre; David Dekort, Scarborough North; Brian Delorenzi, Sault Ste. Marie; Wendy Deslauriers, Willowdale; Alene Falomo, Lawrence; Stephen Farragher, Durham Centre; Daryl Graham, Bruce; Angie Hong, Oriole; Cassandra Keefe, Beaches-Woodbine; Leslie Larocque, York East; Colleen Malone, Lincoln; Ross Nairn, Mississauga South; Lianne Pinkney, Timiskaming; Paul Raposo, Scarborough West; Lisa Rothschild, Mississauga West; Mathew Small, Oshawa; Eva Sultana, York Centre; John Paul Vrolyk, Lambton; Paul-Philippe West, York Mills; and Monica Woodbyrne, Sudbury.

Please join me in welcoming these pages.

## MEMBERS' STATEMENTS

### FOREST MANAGEMENT

**Mr. Hampton:** Members will know that the Ministry of Natural Resources and the Ministry of the Environment have announced a class environmental assessment of the forest management practices that are carried on in Ontario. This assessment, the information that will flow from it

and the policies that are adopted as a result of it will have a major impact upon all of the people of northern Ontario.

Because of the impact that the assessment and the policies that flow from it will have on the people of northern Ontario, this Legislature and all of the people of Ontario must be informed of the shabby way in which this assessment is going to be carried on.

Incredibly, only one notice of this assessment appeared in newspapers and periodicals across northern Ontario. This one notice appeared one week before Christmas, when people were most likely not to take notice of it.

In fact, all of the forestry companies know the assessment is going on because they can afford to pay lobbyists to keep track of what goes on here at Queen's Park. The Northern Ontario Tourist Outfitters Association knows that this assessment is being carried on because it has the money to track what is happening. But all the independent loggers, the independent trappers and the local sportsmen's clubs have no idea of this assessment, have had no opportunity to apply for intervenor funding and are being shut out of this very important assessment process.

## WASTE DISPOSAL

**Mr. McLean:** My statement is directed to the Minister of the Environment (Mr. Bradley). An editorial entitled "Province Must Step In To Solve Garbage Crisis" appeared in the January 28 edition of the Orillia Packet and Times daily newspaper and pretty well sums up everything that I have been telling this minister for a long time.

This government is going to have to step in to make a tough decision about where our garbage will have to go in the very near future. Better still, I have repeatedly told this minister that he must establish a province-wide recycling and incineration program in order to reduce the load on our landfill sites.

Has the minister been listening? I think not. Metropolitan Toronto continues to generate massive amounts of garbage at a time when the life of its landfill site is fast running out. North Simcoe municipalities have been forced to transport their garbage at a whopping cost to the

Keele Valley landfill site after this government shut down their dump without providing an alternative site locally.

The garbage crisis continues to grow, and all through this the minister has chosen to sit on the sidelines and be unwilling to get involved in this massive and shocking crisis. The time to act is now. The government appears willing to stick its nose into all aspects of our lives except when it comes to our garbage. The time has come when the minister had better stick his nose into this matter.

### ABORTION

**Mr. McClelland:** In the wake of the Supreme Court of Canada's judgement rendered 11 days ago striking down section 251 of the Criminal Code of Canada, we, as members of this assembly, together with our colleagues in Parliament and legislative assemblies across the country, are obviously faced with great challenges and, I believe, a significant opportunity.

Many of us in this House hold strongly to the view that life is precious and indeed sacred. Recognizing the complexities involved, I encourage our federal colleagues to respond to the need to bring forward legislation to provide protection for the unborn.

I do not ask my colleagues in this House to put aside their convictions or compromise their integrity in any way. Most, if not all, of us have deeply held feelings on this issue. I ask and challenge my colleagues in all parties to work constructively and with resolve to address the needs of those in society who require assistance.

I believe we can successfully meet the challenges of better educating young people in the area of human sexuality, that we can provide better mechanisms in our communities to help those in need with counselling and other services, and assist those who are looking for help when faced with very difficult decisions. The initiatives begun to provide holistic service by the introduction of women's health centres are, I believe, now more necessary than ever.

I trust that we can and will in this House work in a spirit of co-operation as we address the challenges that are before us.

### RETAIL STORE HOURS

**Mr. Swart:** I have here a petition signed by 20,010 people in opposition to wide-open Sunday shopping and to this Liberal government's local option proposal to accomplish it. It is substantially the largest petition ever from the

Niagara district. Stan Brickell, one of the prime movers, is in the Speaker's gallery today.

This government is totally insensitive to the disruption of families and business that Sunday shopping will create. To most of the retailers, it will not be a voluntary decision whether or not to stay open; it will be survival and/or compulsion.

This paragraph was contained in a letter dated December 11, 1987, sent to all store managers and head offices of Niagara Pen Centre stores by the owners of the mall, Trileia Centres Inc.:

"Under the terms of your lease, you are required to be open for business during the days and hours established by the landlord. Please be advised that Pen Centre will be open for business on Sunday, December 27, 1987, between the hours of 11 a.m. and 5 p.m. and that all tenants will be required to be open for business on that day."

Given that five of the six MPPs from the Niagara Peninsula are Liberals, this compulsion, plus the widespread public opinion that petition demonstrates, plus the regional council's strenuous objection, ought to give them some kind of message about their government's ill-conceived plan. Shades of beer and wine in the grocery store and shades of a campaign that he and others will mount against this issue.

1340

### METROPOLITAN TORONTO GOVERNMENT

**Mr. Cousens:** When the people go to vote this year on Monday, November 14, in Metropolitan Toronto, it will probably be the first time that many of them will have come to realize the significant changes that have been made by this government that will for ever affect the people of this great city in this metropolitan area.

Through the efforts of our party, there was a public hearing that took place last week on the new Metro bill, and we had 21 people come and make representations. Tragically, there were not more because there was no public advertising of the committee's public hearings, but at least one government amendment came through because of the hearings and at least the members were listening to that.

The problem we have is that Metropolitan Toronto politicians are developing their own boundaries. It is too bad the amendment we made, which would have established an independent commission, as is the existing case for federal government politicians and provincial government politicians, did not pass. But this government would not go to the extent of



supporting an independent commission to establish boundaries for politicians in Metropolitan Toronto.

I think this would have been a responsible move. It makes no sense just to keep it the way it is. It makes more sense to have a commission that helps politicians show there is honesty and integrity in the boundaries. I also feel this government has made a mistake by not supporting the joint seat option, where a member of the Metro government is also a member of the local government.

#### TRANSIT SERVICES

**Mr. Mahoney:** I would like to bring to the attention of this assembly the benefits of the fare-integration and service-co-ordination pilot project to Mississauga residents.

In the initial phase, the benefits are twofold: cost savings and convenience. Many Mississauga residents work in Metro Toronto, and the twin pass offers them a cost saving of between \$10 and \$20 a month and the convenience of purchasing and showing one combined pass. Over the long-term phasing, residents of Mississauga can look forward to better co-ordinated scheduling in bus, rail and subway timetables as well as improved facilities to provide easier access to all transportation systems.

During the development of future phasing, transit authorities and municipalities will be jointly involved in expanding the fare integrations, deciding on facility improvements and implementing scheduling changes. Residents will certainly benefit from the future co-ordination of Mississauga Transit and the Toronto Transit Commission. I am pleased to see that the integrated-fare pilot project has met with such a positive response and I look forward to the implementation of a fully co-ordinated system, with integrated fares between Toronto and Mississauga, in the hope that one day we can also have a fully integrated system for senior citizens in Mississauga to be able to travel through the TTC to anywhere they wish within that system.

#### ASSAULT CHARGE

**Mr. Reville:** I think it is appropriate to raise very quickly the curious behaviour of the chief law-enforcement officer of the province of Ontario, who allowed a police constable in Toronto to lay a charge against another police constable in a very famous case where it is clear that there were no reasonable and probable grounds to lay the charge, at least according to what the police association had to say.

### STATEMENTS BY THE MINISTRY

#### ABORTION

**Hon. Mr. Scott:** As all honourable members in the assembly know, on January 28 last, the Supreme Court of Canada issued its judgement in the appeal of Dr. Henry Morgentaler and others. In that judgement, the Supreme Court found that section 251 of the Criminal Code violated certain provisions of the Charter of Rights and, in particular, section 7. As a result, the court found that this section, which regulated abortions, was of no force and effect. The result of that decision, as I announced that same day, was that it is no longer a criminal offence in Canada to obtain or perform an abortion.

This decision brought to an end certain prosecutions in this province against Dr. Morgentaler and others. The one case which now remains before our courts will not be pursued, as the law in which it is based has been struck down.

While my colleague the Minister of Health (Mrs. Caplan) will be addressing in a moment the role of the province in dealing with abortions in the context of our responsibility for health matters, I wish to underline that the federal Parliament has exclusive authority under our Constitution to deal with it in a criminal context.

The Supreme Court, in its three long judgements, did not say that every criminal law dealing with abortion would be unconstitutional. Indeed, one could read some of the judgements as inviting Parliament to address the issue further. Criminal law is a matter over which the Parliament of Canada has exclusive authority, and Ontario and this assembly cannot, under our Constitution, pass a law which infringes on Parliament's right to make criminal law.

It is now up to the federal Minister of Justice to determine whether he will introduce a new law to replace section 251 of the Criminal Code. There have been some suggestions by the federal government that it will move to replace this section. We have not officially, or indeed unofficially, been advised of what the government's intentions are, but we will, like everyone else in the country, await that decision by the federal government and respond.

**Hon. Mrs. Caplan:** I would like to update members of the House on the health issues related to the Supreme Court decision of January 28. In his statement, the Attorney General has identified those matters which fall within his jurisdiction. As Minister of Health, I am concerned about the provision of abortion as a health service.

The Supreme Court of Canada decision, which removed abortion from the Criminal Code, left unanswered a number of important questions. Over the past week or so, we have responded to some of those questions, particularly those dealing with how women can access abortion services in Ontario. On January 29, my ministry issued a list of hospitals in this province which advised us they had in place the process and facilities to provide abortions. Further, we advised hospitals that the Supreme Court decision makes the approval of therapeutic abortion committees unnecessary. We have advised women seeking an abortion to consult their doctors, the Bay Centre for Birth Control in Toronto or any of the hospitals on the list.

In the days following the Supreme Court decision, another issue we addressed was the matter of Ontario health insurance plan funding for abortions performed outside of hospitals. My ministry's legal opinion indicated that OHIP is obliged to cover these procedures effective the day of the Supreme Court decision, and that payments will be at the OHIP rate. As with any other insured service, the regulations with respect to extra billing will apply.

1350

As a result of the Supreme Court decision, access to and provision of abortion services are now unregulated and many questions have been raised with respect to quality of care and standards of medical practice. It is my strong belief that my ministry has a responsibility to ensure not only access to abortions as a health service, but also reasonable access to services that provide safe, sensitive and timely care.

I want to make sure that abortion services are provided in environments with the highest possible medical standards and monitoring. For these reasons my ministry will be moving quickly to develop, in consultation with health practitioners and the College of Physicians and Surgeons of Ontario, regulatory measures to govern health care services and facilities. These will ensure that only qualified medical practitioners perform abortion services in approved facilities inside or outside hospitals, that medical standards are established, that quality of care is assured, that appropriate funding mechanisms are in place and that counselling, including counselling on alternatives, is provided before the procedure and as a follow-up.

In addition, these regulations will prevent the uncontrolled proliferation of commercial and/or unregulated abortion clinics, a scenario made possible by the Supreme Court decision. These

regulations flow from our government's concern over the quality and availability of women's health services. I want to ensure the highest quality of standards, care and counselling for women seeking these services.

As the members know, this government is committed to ensuring effective and accessible health services for the women of Ontario. A women's health bureau is now functioning in the ministry and is responsible for promoting greater awareness of women's health issues.

In addition, my ministry has been working in consultation with hospitals, professional associations and community organizations to develop a range of comprehensive programs for women and we are moving ahead with the development of women's health centres. So far, we have established services at four hospitals that include, among other services, family planning and contraception, pregnancy testing and counselling services for sexual assault victims, and other programs specifically designed to meet women's health needs.

My ministry wants to be sure that women in all areas of the province have access to the highest-quality services possible and our efforts will continue to be focused on that goal.

#### PENSION BENEFITS

**Hon. R. F. Nixon:** I am pleased to inform the members that I have received the report of the Task Force on Inflation Protection for Employment Pension Plans. I believe members are aware that copies of a prepublication draft were released on January 21, 1988. The printed report, along with two volumes of research papers, has now been distributed to all members of the House. Copies of the material are available to the public through the Ontario Government Bookstore.

The Legislature has already passed legislation affirming its commitment to indexation of private pension plans. In December 1986, the government appointed a task force to determine the most appropriate formula and phase-in procedures for such indexation, and to consider related questions, including the disposition of surplus funds in pension plans.

Martin Friedland, professor of law, University of Toronto, and a fellow of the Canadian Institute for Advanced Research, chaired the task force. The other members were E. Sydney Jackson, chairman of the board of Manufacturers Life Insurance Co., and Clifford Pilkey, immediate past president of the Ontario Federation of Labour. I would like to take this opportunity to



thank Professor Friedland and Messrs. Pilkey and Jackson for their excellent work. They have presented a very comprehensive report and I am most appreciative of their efforts.

We are currently reviewing the report and weighing its recommendations. It is my intention to bring forward the government's position on the appropriate implementation mechanisms for inflation protection in the form of proposed legislation as soon as possible. The Legislature would then, of course, decide how it wishes to proceed. While I expect to see a full debate on the government's policy, I would also hope to see legislation in place by year-end.

Members will recall that at the time the task force was announced, the government placed a moratorium on the withdrawal of surplus funds from ongoing pension plans. None the less, we are concerned, as well, about protecting the interests of employees and retirees who are involved in planned windups.

Therefore, as an interim step, we are expanding the moratorium on withdrawal of surplus funds to include planned windup, conversion and sale-of-business situations. This will effectively freeze all surpluses until the government policy is finalized.

Expansion of the moratorium will involve enacting new regulations under the Pension Benefits Act. All future windups will be affected, along with any now in process. This will mean that a moratorium will be in place on all withdrawals of funds.

We considered carefully whether there was a need to place a similar moratorium on what are often called contribution holidays, whereby a plan sponsor might adjust the contribution level in any particular year. It is important to recognize that funding levels are based on long-term estimates, and as such, year-to-year fluctuations are not critical.

Moreover, the government is satisfied that the funding regulations set out in the recently enacted Pension Benefits Act ensure that a plan must be fully funded. These include improved funding requirements and a stipulation that all plan liabilities—including costs arising from the improved benefits under the new act, such as improved survivor benefits, earlier vesting and 50 per cent employer funding—be met before a contribution holiday can be taken.

The expanded moratorium takes effect immediately and will remain in place until the government's policy on the overall issue of inflation protection is finalized.

## ONTARIO HERITAGE WEEK

**Hon. Ms. Oddie Munro:** As Minister of Culture and Communications, I am pleased to announce that Ontario's third annual Heritage Week will be observed this year from Monday, February 15, to Sunday, February 21.

Heritage Week gives us the opportunity to recognize and celebrate our rich heritage and our cultural diversity. The theme for this year's event is Ontario's Heritage: Take It to Heart. This province-wide celebration has been jointly coordinated by my ministry and one of its agencies, the Ontario Heritage Foundation. The week embraces several important objectives.

It improves the public's understanding of our broad definition of "heritage." This definition includes five major areas: architectural, historical, archaeological, natural and cultural heritage. In this context, "cultural" includes not only the arts, but also Ontario's multicultural diversity.

This week also invites us to salute provincial heritage organizations and the thousands of volunteers who contribute to heritage activities. Several heritage groups are celebrating important anniversaries this year. The Ontario Heritage Foundation celebrates its 20th anniversary in 1988. In addition, the Ontario Black History Society celebrates its 10th anniversary, the Archives of Ontario celebrates its 85th and the Ontario Historical Society celebrates its 100th.

The real heart of heritage occurs at the community level. Therefore, Heritage Week fosters support and encouragement for heritage activities throughout the province. Libraries, schools, museums, municipalities and historical societies are sponsoring hundreds of Heritage Week events across Ontario.

Here in Toronto, in keeping with the multicultural strategy announced last June, the Archives of Ontario will launch its multicultural heritage program. In Peterborough, the local architectural conservation advisory committee is presenting its sixth annual Heritage Week walk and treasure hunt. The Kemptville and District Historical Society is staging an exhibition in the town hall and schoolchildren in Kenora are planning to attend an assembly featuring multicultural musicians and dancers.

As the celebrations unfold, I am pleased to inform you that we are also making progress with the Ontario heritage policy review. I announced this project last February and two months later we released a discussion paper titled *Heritage: Giving Our Past a Future*. I am happy to note that this paper highlights the present-day value of

heritage by indicating the social and economic benefits of heritage preservation.

Since releasing the discussion paper, we have received wide-ranging comments from across the province. After reviewing these suggestions, we have put together a comprehensive report which summarizes public views. For those members interested in reading this document, please note that it will be available in March.

Also next month, we will meet with other ministries and various provincial associations. We plan to discuss the role which all ministries play in the field of heritage conservation. I am confident that our talks will be useful in co-ordinating our government's efforts.

In closing, I would like to invite all members to the flag-raising and kick-off ceremonies for Ontario Heritage Week. The festivities will begin at 10 a.m. here at Queen's Park on Heritage Day, Monday, February 15. I also urge members to support their local heritage groups and to participate in their community's heritage events. Judging by the number of activities planned, Ontarians are certainly taking heritage to heart.

1400

## RESPONSES

### PENSION BENEFITS

**Mr. B. Rae:** I want to begin by responding to the remarks of the Treasurer (Mr. R. F. Nixon). I thought that in the interests of clarity on the record, he might have stated that Mr. Pilkey dissented from some of the most important recommendations of the majority of the commission.

**Hon. R. F. Nixon:** No, he signed the report.

**Mr. B. Rae:** He also signed a dissent; the Treasurer cannot deny that.

The government has a very important role to play now and some key decisions to make on how it is going to protect people who are now retired and how it is going to protect people who are going to retire, because we do not think those people have been adequately protected by the recommendations that have come from the majority of the Friedland commission. We expect the government to do more in protecting those people who are not being protected. We look forward to those recommendations as they come from the bowels of the Treasury and of the government.

### ABORTION

**Mr. B. Rae:** I want to respond principally to the comments of the Minister of Health (Mrs.

Caplan) and to the comments of the Attorney General (Mr. Scott). I think it is unquestionable that all of us, both here in this Legislature and in the Parliament of Canada, are now faced with some major decisions.

I want to say to the minister that I think she has to recognize that the thrust of the government's approach to this question of abortion, up until a week ago, was based on the premise that section 251 of the Criminal Code was in place and was in fact the law of Canada. Dr. Powell's recommendations, for example, on the establishment of women's health centres exclusively within hospitals were recommendations based entirely on the fact that the minister's instructions to Dr. Powell were that she could deal only with hospitals because that was what the Criminal Code said.

So I want to say to the minister that in making her recommendations to cabinet and in bringing forward policies on behalf of the women of this province, and indeed on behalf of all the people of this province, she has to take into account some very fundamental facts about our health care system. It probably is not wise to burden hospitals exclusively with the provision of women's health services; in particular, with the provision of abortion.

I say to the minister that it is important for her, yes, to make sure that only qualified doctors perform, of course; yes, to make sure that it is done in a way that is operated on a not-for-profit basis, of course; but also to make sure that it is done in a way that is the most sensitive, the most flexible, the fairest and, yes, the most accessible, because as the minister will know, there are literally hundreds of hospitals in this province which, for a variety of reasons, have not performed abortions up until now and in all likelihood will not unless their policies change in response to changes in policy from the government.

My view and the view of our party is that it would be wise for this government and in the interests of everyone for two things to happen: first, rather than this government trading pot-shots back and forth with the federal government—which may be good politics from the Attorney General's standpoint—surely it is in the interests of all Canadians that the federal and provincial governments get together and decide precisely what the general direction of policy is going to be; and, second, that when it comes to the policies from the province of Ontario, we make it clear that the Supreme Court has spoken, that the right of women to choose is protected by



our Constitution in terms of rights of conscience and liberty and security of the person, and that we have an obligation as a Legislature to maintain that Constitution and to protect and advance the cause of women's rights and of women's health care. That is why we are here, that is what our job is, and we intend to do that in as fair and practical a way as we possibly can.

**Mr. Eves:** I would like to respond to both the statement by the Attorney General and the statement by the Minister of Health this afternoon. I might say at the outset that with respect to the statement made by the Attorney General, I may remind him that indeed it was he who initiated this appeal some 18 months ago. To now say that he will await the decision by the federal government is, I suppose, very convenient in a very delicate subject that apparently he does not want to soil his hands with.

This province, the Attorney General and the Minister of Health cannot remove themselves from responsibilities that they have to the people of Ontario in partaking and, hopefully, agreeing with the federal government and the other provinces in Canada as to what stand they will take on this very important issue.

I know this government does not take that stand, for example, on the issue of free trade. They do not sit back and say that they will await the decision of the federal government. How hypocritical and how inconsistent can you get?

I wish to be somewhat more charitable with respect to my remarks on the statement made today by the Minister of Health, however. I find that her statement is very sensitive, and this is a very sensitive issue. I agree with a lot of the points, quite frankly, that she makes in her statement.

The only criticism I would have is that she and her colleagues have had 18 months to prepare a game plan, an either/or scenario, unless they thought, of course, that the greatest lawyer in the history of Canada, as the Attorney General professes himself to be from time to time, thought he could not possibly lose this appeal, so they did not bother to devise a scenario in case section 251 of the Criminal Code would be struck down and the Attorney General lose his appeal.

The minister has had 18 months to prepare a game plan, to prepare and consult with medical and other groups across the province, and indeed with her federal colleagues in this eventuality. I think the people of this province expect and deserve an immediate response by herself and by her government to this very sensitive issue, and

we shall be looking forward to that in the days to come.

#### ONTARIO HERITAGE WEEK

**Mrs. Marland:** I, too, would like to use the opportunity to recognize the announcement of Ontario Heritage Week. Certainly, as a member of the party that established Heritage Day, obviously we are very supportive of this continuing initiative of the present government. I hope it is not relevant that this year's Heritage Week starts on my 54th birthday, however.

In saluting the number of volunteers who are involved in heritage organizations throughout this province, I think it goes without saying that, as with all volunteer organizations, there is not anything that any level of government can do that can measure the amount of work and effort that these people contribute to our communities. There is not anything we can do as well as they do in a lot of areas, and the celebration of our heritage is indeed one of those examples.

In recognizing the amount of work volunteers do, I would like to suggest that people who are interested in a local celebration of Heritage Week might like to attend the celebration in Mississauga next Monday, February 15, and very much enjoy the program that is organized for that day, including a dinner in the evening. One of the prime movers and organizers of that particular event is Mrs. Mercia Harrison, who is very well recognized as a volunteer for the historical societies within our community.

To emphasize the fact that our heritage is the most important aspect of where we are today, I would suggest that each one of us looks into the past as we reach for the future and benefit from the legacy of the people who have left for us a very rich cultural heritage in this province.

In closing, I would like to suggest that this government could take quite an initiative from the designation of more communities for historical merit. In fact, in Mississauga we have the village of Meadowvale, which was the first district to be designated as a historical district rather than just a building, and that initiative has proven to be very successful, it enhances the community, and I would encourage other members in this Legislature to try to pursue that particular direction on behalf of the motto of the city of Mississauga, which is, "Pride in Our Past and Faith in the Future."

1410

**Mr. Harris:** On a point of order, Mr. Speaker: I think the House should be aware that this is probably the first time a quarterly financial report

has been put out and not commented on in the House. It is so embarrassing, the lack of control of expenditure. I just point out that this quarterly report, Ontario Finances, has embarrassed the Treasurer (Mr. R. F. Nixon) to the point where he does not even want to comment on it.

**Mr. Speaker:** Order. Could I have your attention for a moment, please?

#### SEATING PLAN

**Mr. Speaker:** When I arrived in the House today I noticed, and have had a number of members draw to my attention, that there are a number of errors in the printing of the seating plan.

**Mr. B. Rae:** Am I still here?

**Mr. Speaker:** Yes.

**Hon. Mr. Elston:** That's an error that has nothing to do with printing.

**Mr. Speaker:** Order. I would like to ask the indulgence of the House. If we could go by the seating plan we had in the previous sitting until we are able to get this corrected by the printer, I accept responsibility for it and apologize to the House.

**Mr. Reville:** Mr. Speaker, I want to express the thanks of our party for the statement you have just made. We thought this was circulated by the member for Brampton South (Mr. Callahan). If you will look on the seating plan, he had moved into the front row.

#### VISITORS

**Hon. Mr. Peterson:** Mr. Speaker, perhaps you would permit me to rise and introduce some very distinguished visitors in our gallery. We are joined today by Mayor Pascual Maragalls, mayor of the city of Barcelona; his wife, Ms. Diana Garrigosa; and the Spanish ambassador, Antonio José Fournier, in the company of our own distinguished mayor, Mr. Eggleton.

May I say, before they stand and are welcomed to this House, that we are delighted that Barcelona is the host of the 1992 Olympics. We know they will put on a spectacular show and we know that many Canadians will go and visit, just as we invite them back to the 1996 Olympics in Toronto.

**Mr. Harris:** I just have one more point of order, Mr. Speaker.

**Mr. Speaker:** Order. I am certain the member would advise under what standing order.

**Mr. Harris:** Yes. It is a point of privilege, actually, concerning the privileges of every member of this House, a matter of the expendi-

ture of several millions of dollars. I would ask you as Speaker to investigate why, in view of the expenditure of that amount of money on the Thom report and the amount of time since the Thom report has been received, it has not been tabled in the Legislature.

**Mr. Speaker:** Order. That is not a point of order; it is not a point of privilege.

#### ORAL QUESTIONS

##### TRADE WITH UNITED STATES

**Mr. B. Rae:** I want to welcome the Premier home. I hate to bring him down to earth with such a clunk. Nevertheless, I want to take him on a little tour of memory lane. He will remember the day he called the election. The headline in the paper was, "Peterson Calls Vote to Tackle Free Trade." We all remember the election being called, and of course we all remember the result of that election and the mandate he received. Then, of course, we are surprised to learn in a report from Davos, Switzerland, where—

**An hon. member:** Is this show and tell?

**Mr. B. Rae:** Yes, it is show and tell. The Premier was there, together with the Treasurer (Mr. R. F. Nixon). It says, "Premier Junks Turner's Stance on Pact."

**Hon. Mr. Bradley:** It is a different paper, though; it is not the Star.

**Mr. B. Rae:** It is a different paper. The Minister of the Environment (Mr. Bradley) points out that this, of course, is not the official voice of the Premier, so we cannot tell what it is, though some of us are beginning to wonder.

**Mr. Speaker:** Question.

**Mr. B. Rae:** I would like to ask the Premier this question: Can we interpret his position on free trade as this, that his advice to Mr. Mulroney is that he should not have signed the deal, but that his advice to Mr. Turner is that he should not tear it up? Is that now the position of the Liberal Party of Ontario?

**Hon. Mr. Peterson:** Let me thank my honourable friend for reminding me of those very happy days during the election, and I do think back with great fondness. Let me at the same time congratulate my honourable friend on his powers of reproduction and reminding us of those things. One of the things is that I have no power over what is written, good or bad, about me, about him or about anyone else. I can tell my friend that our position throughout has been consistent and clear, and I think the people of this province know that.



**Mr. B. Rae:** If we knew what it was we could tell. Here is the third one in this series. This is from the Financial Post, which is a well-known New Democratic Party publication: "Peterson Concedes Defeat in Fight Against Free Trade Pact." That is the message that he apparently took with him when he went on his trip to Europe. While in Europe the Premier had this to say:

"I'm not in a position to speak for John Turner, and I wouldn't presume to give him advice, but I can understand how one phrase or one picture can characterize a situation that never takes into account all the subtleties. We have taken a ride pretty close to the altar to turn around and walk away."

Does the Premier now consider a trip to the altar with Uncle Sam? Is that the position he is now adopting as Premier of Ontario? Is that his stance?

**Hon. Mr. Peterson:** No. As I said, I think our position has been quite clear. My honourable friend likes to bring forward various interpretations; he is entitled to do that, and I can understand his concern about not having anybody report his view on these matters.

One of the factors we have discussed, one of the pressures in the situation, is what has happened and the effects of changing all of that. Obviously, in any complicated discussion there are many factors, past and current, that come into account. I have not changed at all my view of the nature of the deal. I had the opportunity to share those views with people in Europe, and they know very clearly that I do not believe that deal is in the national interest. I think that is very clear. Some like it and some do not like it, very frankly. But I say to my friend that our views throughout have been very clear and I think people know them.

**Mr. B. Rae:** The deal has now been signed. It is not law yet in the United States and it is not law yet in Canada in the sense that enabling legislation has not come down, but in Canada the deal has been signed on behalf of the government of Canada by the Prime Minister of Canada.

I would like to ask the Premier, if he is opposed to the deal, is it his advice to the government of Canada that notice should be given under the terms of that agreement to break that agreement or to terminate that agreement? Is that his advice to the government of Canada? If that is not his advice, what the hell is it?

**Hon. Mr. Peterson:** The deal is not the law of the land. My honourable friend is quite wrong in his interpretation. It does not become the law of

the land until it comes forward in implementing legislation both here and in the United States. I assume my honourable friend understands that. Until that domestic implementation legislation comes along and we know the specifics, no one knows exactly how that is going to come about.

I say to my honourable friend, it is going to be litigated in front of an audience of the people of this country. They will pass judgement on it and I will urge them not to support it.

**Mr. B. Rae:** The Premier of this province has not been prepared to tell the people of Canada and the people of Ontario what he thinks should be done with this trade agreement. In fact, his advice is that it should go ahead. That is his new position.

1420

## RETAIL STORE HOURS

**Mr. B. Rae:** I have a question of the Premier with respect to the issue of Sunday shopping. The Premier has participated in many federal-provincial conferences, one of which discussed a paper put forward by the government of Ontario, dated June 1987 and put out by the Ontario women's directorate.

The paper talks both about hours of business and about the question of working time. It says: "However, as is the case with flextime"—talking about hours of business—"this initiative should ensure that common time off is set aside when all family members can be together." On page 4 of the document, it says: "There is a need to recognize the need for time to be set aside when all family members can be together"—exactly the same words.

I want to ask the Premier, is it still the position of the government of Ontario that we need to have laws in this province which will ensure that family members will be able to spend common time together? Is that the position of the government?

**Hon. Mr. Peterson:** I do not think any law of any Legislature in any land on this globe can pass a law to say that family members have to be together. Some choose to be and some do not, I say to my honourable friend. I think he should look at this particular document in all of its aspects, and he may want to quote from it quite fairly, because it recognizes changes that are going on with respect to the workplace. It recognizes that more and more women are participating in the workforce. We recognize, on one hand, not only the needs of the family but also the need and desire to participate fully in the

workforce and have flexibility with respect to the other options.

The member will be aware that some of the principles talk about the right to participate equally in the paid workforce and balance all of the other responsibilities that family members have. He will recall that under the social-and-economic-issue heading one of the matters for future discussion is hours of business and service in public sectors which are accessible to workers. So we have the questions of accessibility, shopping and other things as well. I think my honourable friend would want to look at it in its broad context, not just the narrow context.

**Mr. B. Rae:** Let us be clear on what the position of the government is. Is the Premier in favour of the principle of family members having a common day, a common time when they can be together? Is he in favour of that principle? He says twice in this document that he is; he stated twice in this document that he is in favour of it. If he is in favour of it, why is he so determined to give the matter over to the municipalities and open it up so that workers will have no protection and families will have no guarantee that they can spend common time together? He should make up his mind. What is his position on this matter?

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** The member's attuned legal mind, which usually directs such precision to these matters, has abandoned him completely in this particular question. The interpretations he has drawn are not accurate. I do not believe that is the case in other areas where in fact there are more flexible workhours. I say to him that it does not necessarily mean that everybody is going to be working on Sunday because it brings some flexibility into the system. Presumably, if that is his view on the situation, he would close down tourist exemption areas; he would close down some of the things that exist now. So I do not think my honourable friend is bringing a degree of intellectual precision to this argument, and I disagree with his approach.

**Mr. B. Rae:** I take an attack on my intellectual imprecision from the Premier very seriously indeed; there is an expert in the field talking. But let us go back here; let us talk about precision. Here we have people from Copp's Buildall, ordinary Canadians in his own constituency, writing to him, to the Solicitor General (Mrs. Smith) and to Mr. Van Horne. The names of all the employees are there, and they are saying quite simply that they want to be able to spend time—

**Hon. Mr. Scott:** Robin Sears was busy getting all of this stuff.

**Mr. B. Rae:** The Attorney General is heckling. The Attorney General may not be interested in families being able to spend time together on Sunday. A lot of other people are interested in this question and think it is important. They do not want to see a 60-hour workweek imposed by the Liberal government of Ontario. That is not what they are interested in.

**Mr. Speaker:** Order.

**Mr. B. Rae:** Is the Premier aware of the depth of feeling of a number of groups across this province that are deeply concerned about having to spend time away from their families because of his approach to this legislation? Will he not take a step back, realize that the Legislature spoke as recently as last year on this question and recognize that he has absolutely no mandate in opinion, in terms of what he campaigned on in the last election or what the people in stores right across this province and in their family living rooms across this province are saying? Does he not realize he has no mandate to do what he is doing on this question?

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** My honourable friend talks about mandates. I do not agree with his analysis in that particular regard. That presumably would give him no mandate to say anything on any issue. I do not view it that way. He is absolutely entitled to stand up in this House and speak on any issue, on whatever he likes. My honourable friend presumably disagrees with the fact that so many aspects of our lives are open on Sunday and that now, at the present time, there is commercial activity there. I think the argument he adopts, if we measure its real effect in other jurisdictions where this happens, does not bear out the doom-and-gloom consequences he may in fact predict. I do not believe my honourable friend is accurate in his analysis. I do not think it is going to lead to those kinds of problems.

I recognize there are lots of people who disagree with this, just as there are lots of people who disagree with many of the decisions this government takes. But I think it takes into account the diverse nature of this province. It allows municipalities to make decisions with respect to the unique natures of their own municipalities. It does not imply for a minute that the whole place will be wide open. That decision will be made by people who best understand the community values, varying from community to community. They do it now six days a week.



Why can they not do it seven days? They control the tourist exemption.

It is not a question of going backwards. I think the question is one of dragging my honourable friend into the future.

### ABORTION

**Mr. Brandt:** I would like to start off this brief session of the Legislature by welcoming the Premier back from his trip to Europe. We are pleased to see him back, and we are pleased to have him right back where we want him. He is welcome back.

My question is to the Premier with respect to the Supreme Court decision on the matter of abortions. The Premier is aware, and I am sure he has been briefed on this since his return, that there are now literally no restrictions on abortions in Canada as a result of that decision.

Our party, however, is very concerned about the fact that there are also no comments other than some passing musings by the Supreme Court with respect to the rights of the unborn as they relate to the abortion question.

The Minister of Health (Mrs. Caplan) has indicated in statements she has made to the media that perhaps something in the order of 25 weeks might be an appropriate time frame. The Minister of Community and Social Services (Mr. Sweeney) has indicated that perhaps something in the order of 12 to 13 weeks may be an appropriate time frame for abortions to be considered, at maximum.

**Mr. Speaker:** Question.

**Mr. Brandt:** I know the Premier may well wish to pass this entire matter over to the federal government, but I would suggest to him that it is a provincial responsibility as well. What does this government intend to do with respect to ending restrictive practices relative to abortions in this province?

**Hon. Mr. Peterson:** I will refer that legal question to the Attorney General.

**Hon. Mr. Scott:** I suppose on the Premier's behalf I should begin by thanking the member for welcoming the Premier back. I want to make clear on behalf of our party that the leader of the third party is exactly where we want him to be too: as leader of the third party. The postponement of the convention of the Conservative Party for a year caused us a little concern, but we are glad he is where he is.

I think it is worth pointing out that section 251 of the Criminal Code was in the code precisely because the Parliament of Canada placed a value on the foetus before birth. It was not there for

medical reasons; it was there to protect the interests of the foetus. Both the Supreme Court of Canada and the federal Parliament have acknowledged that is an exclusively federal matter.

I cannot answer the honourable member's question about what is appropriate in terms of protection for the foetus, but I have made perfectly clear that when the Attorney General of Canada has proposals to make in this regard, we would be glad to see them and I would be glad to convey the view of the House on that subject to him when he asks and when he submits proposals to us.

**Mr. Brandt:** There are mechanisms available to the government of Ontario, as the Attorney General well knows. He has the Public Hospitals Act, and the Health Insurance Act, in which he can establish certain health standards, as opposed to Criminal Code standards that are established, as we recognize, by the federal government.

Our question is very clear. Other provinces are looking very seriously at this question as well. It is unacceptable, from the standpoint of our party, that abortions be performed in this province, which are now legal under the Supreme Court decision, at nine months less one day. That is totally unacceptable to us. We are asking that the government of Ontario act to place some reasonable restrictions under the health authority it has so that this cannot be the case in this province.

1430

**Hon. Mr. Scott:** I agree, as I am sure most, if not all, of my colleagues agree, that the situation the honourable member envisages is a misfortune. It results because a federal law passed within the exclusive jurisdiction of the Parliament of Canada to protect the interest of the foetus has failed. We are looking forward to proposals the federal government may make to remedy that failure.

I want to be fair. It is a difficult question. All of us may have a different view, but we will do what we can to assist the federal government, if there is such a request, in evaluating the proposals it develops to protect the interest of the foetus. The province has no constitutional authority to do that.

**Mr. Brandt:** The Attorney General has indicated that he intends to share with the federal government what this House thinks relative to that question. I would like the Attorney General to share with us what this House thinks before he passes it on to the government of Canada so that we can have some degree of unanimity, if at all possible, on this question.



I would like to share as well with the Attorney General the fact that he has had spokesmen from his party, including some of the back-benchers of his party, who have indicated that this is in fact a shared responsibility between the provincial government and the government of Canada. I would suggest to him that it is his responsibility to act under the health regulations and authorities he has to regulate this very important question and to protect the life of the unborn in this province.

**Hon. Mr. Scott:** I would be delighted to pass on any views the honourable member may have. He knows how to get in touch with me in that regard. But I want to emphasize that it is not a shared responsibility. The honourable member is saying that in the House, but it is not true. I draw to his attention his own letter to the Prime Minister of Canada, dated February 4, 1988, where he says:

"However, the federal Parliament is the only body that can enact legislation that would encode protection for the unborn child in the Criminal Code. While our caucus recognizes the complexity of the issues that must be determined prior to this action being taken, we also believe that the importance of this question is such that the federal government must act expeditiously to fill the vacuum left by the Supreme Court decision."

I agree with that.

**Mr. Brandt:** If you are doing some selective reading, why don't you read the letter I wrote to the Minister of Health as well?

**Hon. Mr. Scott:** Because it was different. You say two different things in two different letters.

**Mr. Brandt:** No, I don't say different things. Interjections.

**Mr. Speaker:** Order. The standing orders allow other members to ask questions. New question, the member for Parry Sound.

#### HEALTH SERVICES

**Mr. Eves:** My question is to the Minister of Health. The minister is aware of the huge increase in the amount of money the government will have to pay doctors this year under the Ontario health insurance plan. The minister has admitted that part of the increase is due to the fact that there has been an increased use of medical services. The minister will recall that during the Bill 94 debate, the government was warned not only by members of our party but also by others that such increases would result from a ban on extra billing. It seems as though the revolving-

door system of health care indeed is developing here in Ontario.

Does the minister believe that the quality of care given to patients has remained the same since doctors began seeing more patients?

**Hon. Mrs. Caplan:** On the matter the member raised, I have spoken with the Ontario Medical Association about the increase in physician utilization. We are very concerned about the increase in OHIP payments and will continue to monitor those.

**Mr. Eves:** The minister will recall that during the past election campaign—the one before that, I might add—there was a promise to eliminate OHIP premiums. Much to-do was made of the fact during the Bill 94 debate that the province would gain \$106.7 million as a result of the ban on extra billing. We now find that is not even one fifth of the amount of extra money, \$500 million, that they are going to have to pay out under OHIP now that extra billing has been banned. We find out that exactly what we, the OMA and others predicted is happening.

What steps is the minister taking to rectify this situation?

**Hon. Mrs. Caplan:** The figures the member opposite quotes are not accurate. I want to assure the member that we are very aware of the situation. However, there is nothing to suggest that physicians are not acting in the best interests of the provision of medical services in this province. Our information is that the increase is as a result of the number of doctors who are providing service in this province as opposed to simply an increase in the utilization by individual physicians.

**Mr. Eves:** Also during the Bill 94 debate, the minister will recall that our party, as well as the Ontario Medical Association and others, predicted that a two-tiered system of health services would result in Ontario. Now we find, of course, the gold-card privilege system has been in existence at Toronto General Hospital for the last year.

Will the minister not admit that this is exactly what we were afraid of, a two-tiered system? What steps is she taking to ensure that this will not happen again in the future?

**Hon. Mrs. Caplan:** To be fair, the member opposite knows that the case he has cited is wholly inaccurate. We do not have a two-tiered system of health care in this province. When it was brought to my attention that there was a telephone number available for visitors to this province, we moved to ask the hospital to



dissociate itself from this registry and it has done so.

### ABORTION

**Mr. Reville:** My question is for the Minister of Health, and I might point out that when the minister knew about this gold-card system some months ago, she did nothing until my leader raised it in the press, but my question is not in that connection at all, it is in connection with access to abortions.

The Supreme Court of Canada recognized that abortion is a private and personal matter and that women have a fundamental right to control their own bodies and their own lives. But it is not correct to say, as does the leader of the third party, that there now are literally no restrictions, and I think everybody in this House knows that.

As long as there is uneven access across the province, then women are continuing to be denied the right to control their bodies. I would like the minister to tell the House today what specific plans she has to ensure that all women in Ontario do indeed have equal access to safe and sensitive abortion services.

**Hon. Mrs. Caplan:** In the light of the Supreme Court decision, we do find ourselves in Ontario in an unregulated environment. As I have stated on numerous occasions, we will be moving very quickly to bring forward regulations which will ensure that standards of medical practice are established, that we will have only qualified physicians providing this service, that quality of care is assured and appropriate funding mechanisms will be in place. I personally believe that counselling is a very important component.

Regarding the issue of access, we have been saying for quite some time now that we are committed to provision of reasonable access to the women of this province to needed health services.

**Mr. Reville:** What we have had from the Minister of Health is a recorded announcement. In spite of the rhetoric that comes forth from the minister's mouth in terms of community care, I am wondering whether or not she is now prepared to stand in the Legislature and make a commitment today to funding a network of community-controlled clinics which will provide the full range of women's health services, including abortion services, and will she specifically commit her government to integrating the Morgentaler and Scott clinics into such a system?

**Hon. Mrs. Caplan:** I want to assure the member and members of this House that we are committed to ensuring access to therapeutic

abortion services in this province in a timely and sensitive way. I do believe, however, that they should be in a regulated and controlled environment to ensure the highest-possible medical standards and monitoring. I also want to ensure that the program approach of comprehensive women's health services and provision of counselling, particularly alternative counselling, are available to women at what is a very difficult and traumatic time.

### COMMISSION OF INQUIRY INTO RESIDENTIAL TENANCIES

**Mr. Cousens:** I have a question for the Minister of Housing. The minister was asked a question some three months ago by our House leader, the member for Nipissing (Mr. Harris), on what the status was of the Thom report, a report on rent control and rental accommodation in Ontario. At that time, she said the report was delayed because it was still in the process of being translated.

Now we are in the fortunate position of having the English version, which was done in April 1987, some five months before the election date, and then the French report, which is in a looseleaf binder. We are glad to have them at last, but wondering what is going to happen with them now.

1440

To reach the question to the minister, why has she covered it up? Why has she released the report on the day the issue came out about abortion? Why is it that she has tried to cover the whole—

**Hon. Mr. Bradley:** Are you still attacking rent controls over there? Are you still opposed to rent controls?

**Mr. Cousens:** I have the floor.

**An hon. member:** Just barely.

**Mr. Cousens:** I am asking the question of the minister, why has she tried to cover up the Thom report?

**Hon. Ms. Hošek:** The Thom report was delivered to every single member's box on the day we released it. I do not consider that to be covering up the report.

**Mr. Cousens:** If this minister or this government, primarily the government, wanted to deal with the important issue of rent control and the problems surrounding rent control—and the fact is that the report had been finished some five months before the election of September 10—then this report would have been publicly released. It



would have given everyone a chance to debate it and it would have had some public discussion.

I think it is time now to face up to the fact that people are interested in this. Housing is a major crisis in this province. Will she not, as minister, refer this report to a committee for analysis, discussion and debate so that the public can become aware of the implications of rent control and what can be done about it?

**Hon. Ms. Hošek:** When I came into my job in the ministry, I thought it was important for me to learn about the rent review legislation we currently have. I took a certain amount of time to work through that and to understand it. I then took some time to understand the implications of the Thom report. When I had done that and had come to some conclusions about it, that is when the report was released.

### COMMUNITY SAFETY

**Ms. Poole:** I have a question of the Solicitor General. As members of this House are aware, on January 27, Melvin Glenn Stanton escaped custody while on parole at the Montgomery Centre halfway house near Yonge and Eglinton. Shortly after Stanton's escape, a woman was brutally murdered at 200 Balliol Street. Police have now laid charges against Melvin Stanton. My office has been flooded with calls from constituents who are terrified that this might occur again.

Since police protection is under provincial jurisdiction, would the Solicitor General be good enough to tell the House what action she has taken to protect my community?

**Hon. Mrs. Smith:** I wish to assure the member that I share her very real concern in this matter, as do we all. Indeed, we had a case very similar to this not that long ago in Ottawa. Cecilia Ruygrok was killed in the same tragic way. She was actually working in a halfway house at the time she was murdered.

Because of this, I had already written to the Honourable Mr. Kelleher, the Solicitor General in Ottawa, very much emphasizing to the minister the need for much greater communication and for informing the police fully whenever a person with any violence in his past is returned to society on probation.

We are pressing this case in an even stronger way now. It was already recommended in the coroner's inquest. We are making more contact to make sure this is done.

**Ms. Poole:** I have here a letter dated December 1986 from the Solicitor General of Canada, addressed to me as the director of

Sherwood Park Residents' Association. In this letter, James Kelleher assured me that the inmates of Montgomery Centre would pose no threat to the community. He promised that the Metropolitan Toronto Police would be closely involved to ensure community safety. At the same time, the Ministry of Correctional Services promised me that only nonviolent offenders would be assigned to the Montgomery Centre.

Despite these assurances, a man with a conviction record of rape and manslaughter was assigned to that centre. Despite these assurances, Metro police were not even notified until 14 hours after the escape that he was even in the centre. It appears that Mr. Kelleher's standard of community safety is not the same as ours.

**Mr. Speaker:** Question.

**Ms. Poole:** Will the minister demand that the complete criminal records of every parolee assigned to Montgomery Centre be given to Metro police before the parolee goes to the centre, so my community can be protected?

**Hon. Mrs. Smith:** Once again, I sincerely agree with the honourable member's sentiments in this matter and we will do everything we can. I would very much appreciate getting a copy of that letter so it can enforce my hand in dealing with this, and I will be glad to get in touch with Mr. Kelleher on that very particular letter.

Aside from that, we have already had discussions in my ministry. We agree that the names of people with violent histories should be made available to the police immediately. There is some question of confidentiality with regard to the total record, for reasons that do exist, but the police should have the information they need in order to provide for the safety of the people.

### CONVERT-TO-RENT PROGRAM

**Mr. Breagh:** I have a question for the Minister of Housing. The minister is aware that there is a convert-to-rent project under way at 235 Grandravine Drive in the city of North York. Alderman Howard Moscoe has provided her with a considerable amount of information which clearly establishes that a convert-to-rent program was used, theoretically to provide affordable housing, but in this instance was used and is still being used, as far as we could determine, for the retail sale of these apartment units.

What steps has the minister taken to prevent this, to recover the moneys the ministry has invested in this project and perhaps to consider prosecution in the matter?

**Hon. Ms. Hošek:** The people in my ministry went and investigated the case that the honour-



able member opposite has described today. I am glad to tell him that the case is now under prosecution and we are asking for our money back.

**Mr. Breaugh:** I am aware now that a number of projects under the convert-to-rent program, supposedly to provide affordable housing, have clearly been abused. Is the minister considering any changes in regulations or altering the program somewhat so that it actually would provide affordable rental units?

**Hon. Ms. Hošek:** If the honourable member opposite has any further examples, such as the one he brought into the House last time, I would be glad to have them. However, I should also tell him that the convert-to-rent project is under review right now and we will make sure that it meets the goals we set for it.

### CONFLICT OF INTEREST

**Mr. Eves:** I have a question for the Premier with respect to the proposed conflict-of-interest legislation. We were debating that matter in committee over the past few weeks. There was an interesting hypothetical question that was raised during committee, and perhaps the Premier could lend some clarification to this.

Suppose a member of some cabinet of his in the future were to own shares in a family-held corporation and that corporation were to enter into an agreement or a contract with Ontario. The example my colleague the member for Oshawa (Mr. Breaugh) chose to use in the committee, and I would concur in, is, for example, a forest management agreement worth, say, some \$20 million over the term of the contract.

I am sure that would never happen, but suppose it did, and suppose that when that particular cabinet member filed his or her conflict-of-interest declaration, these facts were to come to light. Under the proposed Bill 1, would that member continue? Would he or she be able to continue to be a member of the Premier's executive council, knowing that he, she or that corporation had entered into that contract?

**Hon. Mr. Peterson:** When I was elected on September 18, 1975, the first thing I learned was to never answer a hypothetical question.

**Mr. Eves:** Perhaps the Attorney General (Mr. Scott) could lend some direction to the Premier on this matter. The Attorney General had no problem at all in answering this question in committee. He indicated to members of the committee and to myself that section 10 of the Legislative Assembly Act of Ontario would prohibit such action by any member; in fact, any

member of the assembly would not be permitted to sit as a member of the Legislature, let alone a member of the executive council.

Perhaps the Attorney General's memory was lacking that day, because if he had referred to section 11 of the Legislative Assembly Act he would find that there, among the numerous exemptions laid out, are exemptions for forest management agreements.

Would the Premier care to give this House his undertaking today that he will amend section 11 of the Legislative Assembly Act to cover up all these exemptions and get rid of them so that we will have true conflict-of-interest legislation here in Ontario?

1450

**Hon. Mr. Peterson:** I say to my honourable friend that I admire very much his conversion and his party's conversion on these matters of conflict of interest. This legislation is pioneering legislation, admired widely across this country. If he has any ideas on how to improve it—I gather there is going to be a debate this afternoon—he may put those questions to the very competent minister who is carrying this matter. I can assure the member that the minister will be able to persuade him that this is legislation worthy of support by all members of this House.

### COURT FACILITIES

**Mr. Mahoney:** My question is to the Attorney General. The court system in the region of Peel is known as one of the most complicated, bureaucratic court systems in this province. As an example, a constituent of mine has called and told me of an incident that occurred in November 1986. A claim was filed in small claims court in April 1987, and he was told it would be heard in February 1988, a lead time of 10 months. He was told last week that it would likely be a further eight months, a total delay of 23 months from the date of the incident.

In a separate case, a court date for an appeal of a decision made in May 1987 has been set at September 1989, a lag time of over two years.

**Mr. Mahoney:** Can the Attorney General tell this House how he can improve this unacceptable situation in the region of Peel?

**Hon. Mr. Scott:** I am very grateful for the question. As the honourable member knows—indeed he quite properly boasts about it with regularity—the county of Peel is probably the fastest-growing county in the country. In a county that grows as quickly as that, with an increase of 50,000 to 60,000 a year, the size of a small city, all the public systems that exist in that



community are stressed in these kinds of ways. The kind of pressure that has existed on the court system in Peel is duplicated in other services as well.

I am aware of the honourable member's problem. Indeed, he has brought it graphically to my attention on behalf of his constituents. As he will know, we announced not long ago our priority list for court construction. I am happy to reconfirm with him that, still, the county of Peel is very high on that list.

**Mr. Mahoney:** By way of supplementary, I appreciate the answer by the Attorney General. The announcement that the Attorney General referred to was made in this House on December 3 and, fortunately, Brampton was actually third on the priority list for some work in the courthouse. I wonder, though, if the Attorney General could tell me and this House when the capital-project list that was announced on that date will be implemented and when we will be able to begin.

**Hon. Mr. Scott:** That is one thing I do not, of course, by myself have the power to announce, but the honourable member can be sure that his concerns are being brought very graphically to our attention.

One of the really good things about the last election is that we now have five out of six of the members in Peel county, and probably for the first time we have been able to hear graphically the concerns about the systems that are in that growing county.

Even with a previous Premier of the province being from Peel county, no steps were taken to even consider putting Peel county on a priority list for courthouse construction. I am delighted that we, who come from foreign places, were able to see the importance of that work and to get those placements on the priority list, which I am sure we all hope will in due course produce a construction program.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr. B. Rae:** I have just heard that Joseph Kuhle, who was charged last year with four counts of criminal negligence with respect to a mining accident at Inco, has been acquitted on all four charges.

I have not raised this subject publicly since events of some time ago, because obviously in the last few days we were aware that certain plea bargaining went on with respect to charges under the Occupational Health and Safety Act. Yet we had not heard from the judge on this one and I

wanted to wait until we heard from the judge before asking the Attorney General about this.

I wonder if the Attorney General would at least investigate how it is that a plea bargain with Inco resulted in the dropping of several charges under the Occupational Health and Safety Act in exchange for an admission of guilt on some and a fine of \$25,000. I wonder if the Attorney General could investigate how that could have happened at the same time as a charge of criminal negligence causing death with respect to four miners could have been laid against an individual worker, which I am sure the Attorney General must recognize is universally felt in that community to have been a most unfair proceeding with respect to Mr. Kuhle and the company involved.

**Hon. Mr. Scott:** I would be glad to do so.

**Mr. B. Rae:** I have raised this with the Minister of Labour (Mr. Sorbara) in estimates. I would like to raise it with the Attorney General. I wonder if the minister could sit down with the Minister of Labour and draft a clear protocol that is understood by everybody—crown attorneys, police, investigators under the Occupational Health and Safety Act and in all other respects—so that everybody understands from the beginning how investigations are going to be conducted and what evidentiary rules are going to be followed with respect to local union inquest committees and so on, so we do not have this kind of what I really think is a terrible injustice done to one individual worker in this province.

I wonder if the Attorney General and the Minister of Labour could agree that those rules of the game will at least be made public and clear to everybody who is involved.

**Hon. Mr. Scott:** I will be glad to look into that. As the honourable member knows, the investigation of criminal offences—this is not true of offences under the Occupational Health and Safety Act—is undertaken by the municipal police force. It is not undertaken either by the Solicitor General's department or by the Attorney General's department.

When a police officer is prepared to make oath that he has reasonable and probable grounds to believe, and does believe, that an offence has been committed, he takes that to the justice of the peace. If the justice of the peace, after examination, accepts that oath, then the charge process has commenced and can only lead to a trial or a stay of prosecution. The process, in short, is out of the Attorney General's hands and out of the crown attorney's hands except in so far as they may be asked to give advice on the adequacy of the evidence.



That is the process. I will be glad to see how that can be effectively integrated with processes under the Occupational Health and Safety Act, but from the criminal end, in this case the process was followed. It produced a prosecution. My friend may be entirely right that the acquittal was entirely warranted, but that is the way the criminal process works.

#### RETAIL STORE HOURS

**Mr. Cousens:** I have a question for the Minister of Municipal Affairs which has to do with North York council which is today debating whether or not to hold a public plebiscite on Sunday shopping with this year's municipal elections.

To this point in time, his government has had no policy statement to give guidance on municipal elections to municipal politicians. The Solicitor General (Mrs. Smith) is all over the map on the issue. No direction has been given at all to the municipalities. There is no legislation at this point in time. It is rather difficult for municipalities to make decisions about plebiscites.

When is the minister going to give some clear direction to municipalities just what their responsibilities are on this important matter?

**Hon. Mr. Eakins:** Before making any particular comment or policy in regard to this particular issue, I think it is very important to meet with the municipal people. I have been doing that for some period of time. I have met with the executive of the Association of Municipalities of Ontario. I was meeting this morning with the Rural Ontario Municipal Association.

The question of whether or not to be open on Sundays is already an option for the municipalities, and more and more of those I talk to are very much aware of that. The question to be determined is whether they want to declare themselves a tourist area. Today, the question of the definition of "tourism" is very difficult indeed to define. So the municipalities can determine for themselves if they wish to be open on Sunday or not. That is a municipal option.

**Mr. Cousens:** That is one answer that—

Interjections.

**Mr. Speaker:** I believe the member for Markham has a supplementary.

**Mr. Cousens:** I would be surprised if the minister believes his own answer, because it is all talking but he is not listening. The Association of Municipalities of Ontario had a vote last week and by a vote of 70 to three were opposed to this whole business of Sunday shopping and opening

it up. The minister can meet them all he wants but he has to do some listening in return. Let me ask the minister, does he think it appropriate for municipalities to hold plebiscites to resolve regional or provincial issues of this nature and will he be providing the funding to cover the costs?

1500

**Hon. Mr. Eakins:** The option of whether they want to be open or not is theirs and they can deal with it in the way they wish. Members will notice that North York was going to declare itself a tourist area and it is its right to do that. All municipalities of this province have the opportunity, if they wish, to be open on that day by declaring themselves a tourist area. I would challenge anyone in this House to tell me what area of Ontario is not a tourist area, because this government, the previous government, through the Ministry of Tourism and Recreation have made funding available to the 12 regions, known as the Ontario travel association program, to promote tourism in every corner of this province. I would challenge the member to tell me what part of the province is not tourism related or has that potential.

#### FIRE PREVENTION

**Mr. Faubert:** My question is to the Solicitor General regarding home fire prevention and fire safety education.

**Mr. R. F. Johnston:** You do not like those letters from the firefighters, Frank.

**Mr. Faubert:** I love them.

In 1987, the Scarborough Fire Department responded to 212 apartment fires and 327 house fires, which is an increase of over 18 per cent over 1986; and of this total, 162 were grease fires. Last year, the Solicitor General indicated in a letter addressed to Fire Chief William Wretham that the ministry had been working on a fire prevention program or publicity initiative which would be comparable to the crime prevention program. My question to the minister is, will the minister advise the House on the present status of this initiative?

**Hon. Mrs. Smith:** I am very happy to report to the member that in fact this initiative is working very well. We have put in place a person whose full-time job is working on fire prevention. He is Captain Greg Alexander, a former firefighter, who is working with the municipalities to try to increase the education of the people in this very important area. As well, we are putting together a television news clip which the



members of the House will soon be able to see and hear on their television sets. This indeed will be a very secure way of getting the message to everybody to avoid these very casual household cooking accidents and other types of accidents which do indeed cause so many fires.

**Mr. Faubert:** The minister may be aware of a report entitled the Report of the Public Inquiry into Fire Safety in Highrise Buildings, commissioned in 1983 by the Ontario government. The report included, and I quote, "The office of the fire marshal should receive sufficient funds to implement a more active public education program." Will the minister advise the Legislature whether these funds have or will be provided for this valuable and potentially life-saving program?

**Hon. Mrs. Smith:** I would point out that the two programs I have already announced, the full-time employment of Mr. Alexander in the firefighting field and the television program that has been put together, both involved expenditures of money. As well, we are setting up an advisory committee of people especially knowledgeable in this area to advise the ministry of anything further it should be doing. We are taking part in trade shows of all types to try to emphasize prevention and make information available to people to see what kinds of preventive tools they could have in their homes. As well, we are doing extensive work in the schools in putting together publications for the general public. All of these things cost money. We are funding them and will continue to do so.

#### NURSING HOMES

**Mr. D. S. Cooke:** I have a question to the Minister of Health. The minister will be aware and remember that last year the standing committee on social development spent a fair amount of time working on amendments to the Nursing Homes Act, and specifically passing a bill of rights for residents in nursing homes across this province. I have sent across to her a copy of a contract that Reliacare Inc., which is a nursing home chain in southwestern Ontario—specifically it owns three nursing homes in the Windsor area, Tecumseh, Riverside and Essex—is asking its residents to sign which I believe specifically takes away the rights that we gave residents in the bill of rights.

Does the minister think it is appropriate for a contract to say that before residents can complain to the Minister of Health about the nursing home they must first share that complaint with the administrator of the nursing home?

**Hon. Mrs. Caplan:** I would like to thank the member for sending me a copy of this agreement—it is the first opportunity that I have had to see this—and to share with him the philosophy of the bill of rights, which enables seniors to take a more active role in the daily operation of nursing homes.

I would be pleased to review this and determine whether or not this meets the spirit of the nursing home bill of rights.

**Mr. D. S. Cooke:** I should point out to the minister that I understand the philosophy of the bill of rights. I wrote the bill of rights and presented it in the committee.

Interjections.

**Mr. Speaker:** Order, order. Supplementary to the Minister of Health.

**Mr. D. S. Cooke:** Does the minister think it is appropriate that one of the largest nursing home chains in southwestern Ontario—Reliacare Inc. operating out of Owen Sound and has several hundred nursing home beds in southwestern Ontario—is it appropriate for section 3 of their contract, under definitions, to say: "Restraints means any article which is applied to a resident's body which restricts his or her voluntary movement and over which the resident has no control. Geriatric chairs, wheelchairs, bedside rails, seat belts and any other safety mechanisms are not considered to be restraints?"

What is the purpose of giving people rights in one section of the Nursing Homes Act, only to have those rights to refuse restraints taken away by a contract of a nursing home? What is she going to do to prevent this from happening?

**Hon. Mrs. Caplan:** I have stated on other occasions in this House that my concern regarding and for residents within nursing homes is and always will be quality of care, quality of life and the dignity of the individual. I would be pleased to review the member's request and have a conversation with him regarding the statement that he has just read out now and any implications that it might have, or the effect on residents within nursing homes.

#### AGRICULTURAL INDUSTRY

**Mr. Villeneuve:** To the Minister of Agriculture and Food: I have a copy of his recent report here, Assessment of the Impacts of the Canada-US Free Trade Agreement on the Ontario Agriculture and Food Sector.

This impact study states that there is a \$95 million loss to the agriculture industry in Ontario. Would the minister not agree, in the



light of some of the recent announcements by the Honourable John Wise, that this is a little bit exaggerated?

**Hon. Mr. Riddell:** The federal Minister of Agriculture announced that there would be milk products added to the import control list. I hope he is right. We have not seen those products added to the list yet, and neither do we know what levels are being added. Until we do know, I think our report is quite accurate; but if the milk products—at the levels which are acceptable—are added to the import control list, then I would say, yes, we would have to probably reduce the figure of a \$10 million loss to the dairy industry.

**Mr. Villeneuve:** The minister knows that the grape growers will definitely be affected, not by free trade but by a General Agreement on Tariffs and Trade decision.

Whether or not this trade is not relevant, and as the \$10 million loss that the minister says the dairy industry would suffer probably will not occur, would he not, now that he has admitted that this is likely outdated, present a new report, one that represents a lot more accurately what will be happening to agriculture because of free trade?

**Hon. Mr. Riddell:** I do not think the member was listening to my response. I did not say that report was outdated. We are putting a lot of blind trust in what is going on in Ottawa, and always have ever since the Prime Minister got a bee in his bonnet that he was going to enter into a free trade agreement come hell or high water.

It is hell for a lot of the farmers in Ontario because it does translate into a \$95 million loss to the farmers; \$50 million to the fruit and vegetable growers because of a worthless snapback provision, \$30 million to the wheat producers because of the loss of the two price wheat system, and \$15 million to the grape growers which happens to be half of the 1986 income in that area. If the member does not think that is a tremendous loss to the farmers of this province then it is just a matter of his not caring. No sector of the agricultural industry should be affected.

1510

#### SCHOOL DROP-OUTS

**Mr. R. F. Johnston:** My question is for the Minister of Education. This parliament started off with announcements of the importance of education to this government and an announcement that there would be a select committee, which we have still not seen even established, let alone a mandate announced for in this House, which means we will not get any action until at

least this summer, even though recently we have seen the minister attacking in a blistering fashion his own ministry for producing illiterate graduates.

I wonder whether the minister could tell us today whether or not he intends to bring forward George Radwanski's report to this Legislature this week, since the government has had it in its hands for over a month now, which was obviously the cause of his blistering attack as an attempt to ease the pain of what Mr. Radwanski was going to say, or is he planning to do this when this House is not in session so that we cannot ask him any questions?

**Hon. Mr. Ward:** I respond to the honourable member by indicating that it is my intention to release Mr. Radwanski's report just as soon as it is available in both official languages. I expect that will be in only a matter of weeks.

With reference to his preamble and this government's commitment to education initiatives, I refer the member for Scarborough West to the recent throne speech. There are a large number of initiatives indicated in the throne speech and we will be moving forward with many of those initiatives in the context of the grant regulations that are currently being drawn up for the funding of those initiatives in the coming year.

**Mr. R. F. Johnston:** While I welcome the news, which most members of the House do not seem to have recognized, that we now have two official languages in the province, and we are very pleased to hear that, I would also like the minister to know that I am aware the report was written in both English and French at the same time, in concurrent fashion. They were both completed in December. There may be some printing problems but he is definitely holding it up. I want to know, will he bring it in this week? Will it be in here by Thursday at the latest so that we will have some chance to ask him some questions, or does he intend to let it just sit there quietly for two months until we come back again? The select committee clearly is not going to be set up to deal with it.

**Hon. Mr. Ward:** I indicate to my honourable friend that he is indeed incorrect if he assumes the report was available in both French and English.

**Mr. R. F. Johnston:** I talked to the writer.

**Hon. Mr. Ward:** I cannot give him a commitment that the report will be released this week. It will be made available just as soon as copies are available in both French and English.

### COMMISSION OF INQUIRY INTO RESIDENTIAL TENANCIES

**Mr. McCague:** To the Minister of Housing: will the minister refer the report of the Commission of Inquiry into Residential Tenancies to a committee of this Legislature?

**Hon. Ms. Hošek:** No, I will not.

**Mr. Speaker:** New question, the member for Sudbury East.

**Miss Martel:** Mr. Speaker, I am looking for the Minister of Labour (Mr. Sorbara). I did not see him slip out.

**Mr. Speaker:** The Minister of Labour is not in his seat.

**Miss Martel:** All right, then, I will have to pass.

### PENETANGUISHENE MENTAL HEALTH CENTRE

**Mr. McLean:** I have a question for the Minister of Health. Will the minister, through the report with regard to the Oak Ridge centre, make arrangements and make sure the new Oak Ridge centre in Penetanguishene will proceed?

**Hon. Mrs. Caplan:** I want to share with the member his concern and tell him that a priority for me and for my ministry is the eventual redevelopment of the Oak Ridge facility. We have proceeded with the implementation of the Hucker report and I believe we are making progress. We thank him for his question on this very important matter.

### PETITIONS NATUROPATHY

**Mr. Kanter:** I have two petitions from a total of 204 citizens concerned that naturopathy continue to have self-governing status.

**Mr. Pelissero:** I would like to present to the Legislature a petition, signed by 375 persons of the riding of Lincoln in the Niagara Peninsula, which calls upon the government to "introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

### RETAIL STORE HOURS

**Mr. Swart:** I want to table a petition, signed by 20,010 people from the Niagara Peninsula, which reads as follows:

"Petition to the government of Ontario re Sunday openings:

"We, the undersigned citizens of Ontario, residing in the region of Niagara, support the

intent and recommendations of the all-party committee of the Ontario Legislature and the ruling handed down by the Supreme Court of Canada, rejecting wide-open Sunday shopping and recognizing the need for a common pause day for family nurture.

"We therefore call upon Premier David Peterson and his government to pass province-wide legislation rejecting wide-open Sunday shopping and upholding Sunday as a common pause day."

I suggest that this is representative of the views of the people in the Niagara Peninsula.

### RECREATION TRAIL

**Mr. Pollock:** I have a petition signed by 304 persons from east-central Ontario as follows:

"To the Lieutenant Governor and the members of the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That we are in favour of the former Canadian National line known as the Marmora subdivision being developed as a recreation trail."

### RETAIL STORE HOURS

**Mr. Adams:** I have a petition from several hundred people in Peterborough and general area:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition as follows:

"We are opposed to wide-open Sunday shopping.

"We are the employees, consumers and families who will be most detrimentally affected by the lack of legislation with respect to Sunday closing.

"We respectfully request the government reconsider its position regarding the Retail Business Holidays Act."

### NATUROPATHY

**Mr. J. M. Johnson:** On behalf of the member for Burlington South (Mr. Jackson), I would like to table the following petition:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;



"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

**Mr. Fleet:** I have a petition, signed by 300 people in the riding of High Park-Swansea and elsewhere in Ontario, wherein they assert their constitutional right to have available and to choose the health care system of their preference. They acknowledge that naturopathy has had a self-governing status in Ontario for more than 42 years and specifically petition this Legislature to call upon the Ontario government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment.

#### RETAIL STORE HOURS

**Mr. McCague:** I have a petition to His Honour the Lieutenant Governor and to the Legislature of Ontario. This petition is signed by 376 residents of Staynor in my riding who are opposed to Sunday shopping:

"We, the undersigned, believe in the importance of keeping Sunday as a common pause day so that all people may have physical, spiritual and social health. We are concerned about the quality of life and the wellbeing of the people in our province. We object to the further commercializing of life through the proposed Sunday shopping legislation."

#### NATUROPATHY

**Mr. Dietsch:** I have a petition signed by 79 signatories of St. Catharines-Brock and surrounding area:

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

1520

#### RETAIL STORE HOURS

**Mr. Cordiano:** I have a petition signed by some 8,000 people residing in the city of North York and it goes as follows:

"We, the undersigned residents of North York, object strongly to any change in current legislation or practice that would permit wide-open Sunday shopping beyond the very few restricted special cases now receiving exemption. We feel that wide-open Sunday shopping will erode the tradition of a common day of rest and the cohesiveness of the family unit along with it.

"Moreover, we reject the proposed plebiscite in North York as a means to determine whether the municipality should permit wide-open Sunday shopping.

"We call on North York city council to abandon the proposed plebiscite and on Premier Peterson to exercise his legislative responsibility and leadership on behalf of the interests of workers and families by ensuring that Sundays stay closed to shopping."

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mrs. Stoner from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

Bill ordered for committee of the whole House.

##### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

##### COMITÉ PERMANENT DE L'ASSEMBLÉE LEGISLATIVE

Mr. Epp from the standing committee on the Legislative Assembly presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office, the title of which is amended to read "An Act respecting Conflicts of Interest of Members of the Assembly and the Executive Council."

M. Epp du Comité permanent de l'Assemblée législative présente le rapport suivant et propose son adoption:

Le comité fait rapport du projet de loi suivant, modifié:

Le projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions, dont le titre, modifié, sera «Loi concernant les conflits d'intérêts des membres de l'Assemblée et du Conseil des ministres.»

Motion agreed to.

La motion est adoptée.

Bill ordered for committee of the whole House.

Le projet de loi est déferé au comité plénier de la Chambre.

#### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Callahan from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates.

Motion agreed to.

Bill ordered for committee of the whole House.

#### MOTIONS

##### COMMITTEE SITTINGS

Hon. Mr. Conway moved that, notwithstanding the order of the House of Thursday, January 7, 1988, the House authorizes the meeting of the standing committee on the Legislative Assembly on Monday, January 25, 1988, to consider Bill 1; and the House further authorizes the attendance of the chairman of the standing committee on finance and economic affairs at the meeting of the American Bar Association on the Canada-US free trade agreement in Washington, DC, on January 28 and 29, 1988.

Motion agreed to.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Conway moved that the requirement for notice with respect to private member's ballot item 10 be waived.

Motion agreed to.

**Ms. Bryden:** On a point of privilege, Mr. Speaker: I did not hear whether Bill 29 was referred to the committee of the whole House.

**Mr. Harris:** Yes. In spite of your absence, we looked after it.

#### INTRODUCTION OF BILLS

##### CHARTERED INSTITUTE OF MARKETING MANAGEMENT OF ONTARIO ACT

Ms. Hart moved first reading of Bill Pr5, An Act respecting the Chartered Institute of Marketing Management of Ontario.

Motion agreed to.

##### CHILDREN'S LAW REFORM AMENDMENT ACT

Mr. Henderson moved first reading of Bill 95, An Act to amend the Children's Law Reform Act.

Motion agreed to.

**Mr. Henderson:** The purpose of the bill is to create a legal presumption of joint custody to both parents seeking custody when families divide. The presumption is rebutted if the court determines that joint custody is not in the best interests of the child. The criteria for the best interests of the child are altered to provide a social and legislative context which rewards co-operation, not adversarial obstruction, in custody matters.

The bill contains a so-called "friendly parent" provision whereby, if sole custody should be awarded, consideration must go to whichever parent, among other factors, is more prepared to co-operate with the other and to involve the other in the child's life. A parenting agreement to guide the parents in their decision-making about the child shall be made by the parents with the aid of a mediator if they choose, court-ordered if mediation fails. A parenting agreement may provide for mediation to resolve the parents' differences of opinion concerning the best interests of the child or concerning the interpretation of the agreement.

Where a parent does not act in accordance with the requirements of the parenting agreement, the court may rescind the order for joint custody and may grant sole custody to the other parent. Where a custody order was made before the bill comes into force, a parent may apply to a court after a specified time for a review of that order under these new provisions.

##### LEBON GOLD MINES LIMITED ACT

Mr. Kanter moved first reading of Bill Pr49, An Act to revive Lebon Gold Mines Limited.

Motion agreed to.



## BIG CEDAR ASSOCIATION ACT

Mr. Owen moved first reading of Bill Pr2, An act to revive Big Cedar Association.

Motion agreed to.

ANSWERS TO QUESTIONS IN  
ORDERS AND NOTICES AND  
RESPONSE TO PETITION

**Hon. Mr. Conway:** Before orders of the day, I would like to table the answers to questions 17, 20, 26, 75, 87, the interim answer to question 78 and the response to petition P-8 in Orders and Notices [see Hansard for Thursday, February 11].

1530

## ORDERS OF THE DAY

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN  
TORONTO AMENDMENT ACT

Consideration of Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act.

Sections 1 and 2 agreed to.

Section 3:

**Mr. Chairman:** Ms. Bryden moves that subsection 5a(4) of the act, as set out in section 3 of the bill, be struck out and the following substituted therefor:

“(4) The recommendation under subsection (3),

“(a) shall provide for the establishment of,

“(i) the number of Metropolitan wards in each area municipality that is equal to the number of persons to be elected to the Metropolitan council from that area municipality under subsection 5(1); and

“(ii) the number of local wards in each area municipality that is equal to or a multiple in whole numbers of the number of Metropolitan wards in that area municipality and each local ward shall be located entirely within one Metropolitan ward;

“(b) shall take into account the principle of representation by population, the existence of local boundaries and communities and any patterns of future growth;

“(c) shall propose that all local wards in a Metropolitan ward be single member wards; and

“(d) shall propose that each Metropolitan ward have the same number of local wards.”

**Ms. Bryden:** By way of explanation, I think it became clear to those of us who sat on the general

government committee last week that Bill 29 is defective in setting forth precise guidelines for the minister to follow in making his recommendation to cabinet on the boundary proposals to be approved by the government under the bill. We were not fully aware of the implications of the clauses in Bill 29 affecting the minister's recommendation until we heard the various representations from the public and from municipal councils in the area. It became evident that the present legislation permits boundary proposals which some deputants called gerrymandering.

As we all know, boundary changes at the federal and provincial levels are not left to incumbent politicians to determine. They are dealt with by independent boundary commissions because past history has illustrated that incumbents' self-interest makes objectivity difficult at best and impossible for at least some politicians.

The gerrymanders now shaping up in Toronto show that it is equally inappropriate to leave the task of boundary setting to politicians at the municipal level. Unfortunately, the minister was so dilatory in bringing in the Metro reform bill that there was no time to set up an independent commission to draw the boundaries for the 1988 elections.

This is a unique situation. We are given a responsibility, as a Legislature, to produce guidelines which will meet the objectives we all share in achieving a democratic system of election in this area. Those objectives are representation by population, equal treatment of different parts of each municipality, preservation of neighbourhoods and avoidance of strip wards. The Ontario Municipal Board at an earlier phase in this history of the municipality of Metropolitan Toronto had removed strip wards and replaced them with block wards on the ground that this was the fair way to represent different sections of the community and different interests.

The other need for the guidelines that we should adopt as part of this legislation, and which I am moving as my amendment, is to remove the opportunity for manipulation of boundaries to protect incumbents' current seats. The present legislation allows this manipulation by specifying that the number of area wards can range from one, two, three, four or five within a Metro ward, and this is not equal representation in the various Metro wards. We must recognize that municipal politicians have a conflict of interest when they set their own boundaries. Many of the deputa-

tions appearing before the committee pointed this out.

We were shown maps which for the city of Toronto showed four possible boundary options. I would be glad to supply the maps to any member who is interested in looking at the details. We were also shown a map presented by the Toronto Board of Education which showed proposed boundaries that cut across Metro wards and which form very little relation to the municipal wards that had been proposed to the city council.

We have to recognize that the legislation is flawed in not setting forth guidelines which would prevent the kind of proposals which appear to be unfair and which will not produce equal representation.

The legislation is also flawed in that there is no limit on the amount of variation from an average figure for the various area boards and metropolitan wards. The minister, apparently, in some of his communications to the municipalities and schools boards, indicated a plus or minus 25 per cent; but even that is not in the legislation.

**1540**

As legislators, we really have to step into a local situation in this case. This is not a partisan issue. It is an attempt to get a fair system of municipal boundaries within the various municipalities of Metropolitan Toronto and within the school boards. While the minister may talk about the importance of preserving local autonomy, and I also support that principle, we must make sure that local autonomy is limited to rules and regulations which will ensure fairness and an opportunity for all viewpoints to obtain representation on councils.

I think we have to weigh that against the principle of local autonomy and give the minister the power to refuse proposals that come to him which appear to violate some of those principles I have mentioned; that is, good representation by population, as close as can be obtained; equal treatment of different parts of each municipality; avoidance of strip wards; and preservation of neighbourhoods. That is the purpose of my amendment.

If you look at them individually, you will see that the first provides that "the number of Metropolitan wards in each area municipality" should be "equal to the number of persons to be elected to the Metropolitan council from that area municipality;" and the legislation sets forth the number of Metropolitan council members. If they are entitled to six Metropolitan council members, they should have six Metropolitan

wards. That is actually already in the legislation. I am just repeating it as one of the guidelines that is in the legislation.

The second, subclause 5a(4)(a)(ii), goes further, though. It says that when you deal with local wards in each area municipality, the number to be set up should be equal to or a "multiple in whole numbers of the number of Metropolitan wards in that area municipality." The reason is that this then would ensure that in each Metropolitan ward there would be area wards which are a multiple of the number of Metropolitan wards.

For instance, in the city of Toronto, they are entitled to eight metropolitan wards. They can have eight, 16 or possibly 24 area wards, and that could be divided equally among the Metropolitan wards; but 24 is virtually ruled out by the objective of the legislation, which I think most of us agree should be to simplify and reduce the size of Metropolitan government in the municipality of Toronto and in the six municipalities.

The third amendment gives the minister definite guidelines about following the principle of rep by pop and the existence of local boundaries and communities and any patterns of future growth. This is not in the act at present. While the minister may take account of it in making his recommendation to cabinet for the boundaries, it is better to have it spelled out in the legislation so that in challenging those boundaries before the Ontario Municipal Board in future, or before any other body that is set up to allow for boundary revision, there are principles written into the act. Therefore, I am asking the Legislature to legislate those principles in clause 5a(4)(b).

In clause 5a(4)(c), I propose that we seek the objective that I think a great many politicians in this House would support, and that is single-member wards in all parts of Metropolitan Toronto at both levels, the Metro level and the other level. We have found in the past that the dual-member or the three-member-at-large wards are very undemocratic in that two or three people represent a very large area and there is no delineation of their particular responsibilities or the geographic limitation on their responsibilities within that large ward.

Finally, under clause 5a(4)(d), each Metropolitan ward shall have the same number of local wards. We should not allow, as the present legislation does, that you can have as many as two, three or four area wards in one Metropolitan ward in different municipalities. It should be the same number in each Metropolitan ward.



Under subclause 5a(4)(a)(ii) there is the additional principle, which I did not mention as I talked about it, that each local ward should be located entirely within one Metropolitan ward.

When we come to vote on these amendments, I hope we will vote on each of the five proposals in the amendment before the members.

If we produce woolly guidelines or legislation which allows for manipulation by incumbents to violate the principles, we will be accused of failing to ensure democracy at the local level.

We have to remember that municipalities are the creatures of the province under our Constitution. We do not want to unduly fetter them, but it is our responsibility to see that they operate in a democratic way. It is our responsibility to see that the opportunities for gerrymandering are removed. Representation by population, as we all know, is our most sacred principle and we know it has been tampered with over many generations by governments and legislators.

I am urging members to use their legislative power to aim at the objective of representation by population in a more precise way than the present legislation allows. I think this reflects the views of the many deputations that appeared before the committee, but it was only as a result of the hearings that we were able to obtain a picture of what is really going on in the field of boundary changes in the six municipalities.

There are two other areas that came up in the committee hearings that I think we should consider. One is the fact that there is no legislation in the bill about election expenditures. I realize it is out of order to discuss this, but we had hoped the minister would have his election expenses legislation, limiting the size of contributions and of election expenditures and providing for full disclosure of election expenditures, before this House now so we would know exactly to what extent he was intending to implement his announcement last fall that he was bringing in such legislation. That is another defect to the bill. It could be remedied if the minister at least would bring in his bill on that question.

We have also had no indication from the minister as to whether he is going to attempt to bring a tax rebate system for municipal electors similar to what they did at the federal and provincial level. I think that also is a piece missing from the picture for the next 1988 municipal elections across the province. We hope that could also be clarified before the House finishes up this week.

The other thing that bothers me about Bill 29 is that while the Minister of Municipal Affairs is

given the power to approve whatever boundary proposals come forward and has then to submit them to the cabinet for final approval, there is nothing in this legislation that mentions school boards in any way; yet the boundaries for the school board elections will have to be determined at the same time.

We were told in the committee that the Minister of Municipal Affairs (Mr. Eakins) would have the final say. He may consult with the Minister of Education (Mr. Ward) if he wishes—he told us he was doing so—and he may consult with the school boards, but the final proposals that he approves for the school boards will have a great bearing on the boundary changes for the municipal elections in 1988. It is not clear to what extent they can deviate from the municipal boundaries, since the elections are conducted by the municipal clerks at the same time for school boards and for municipal councillors.

#### 1550

That is a weakness in the legislation, and I even question whether it may be the cause of possible challenge in the courts to the minister's recommendation of school board boundaries in that there is nothing specific in the legislation which authorizes him to make recommendations for school board boundaries. I think it has been very unfair to the trustees and the school board electors across Metropolitan Toronto that they have had no guidelines from the minister that have been published, telling them what the rules will be for boundary changes in the school boards. This applies to separate school boards, public school boards and the Metropolitan Toronto School Board.

Before we consider passing this legislation, the minister should clarify to us why the school boards were left out and whether the same sorts of guidelines that apply to the municipalities will apply to the school boards. If so, they would, of course, be covered by my proposed guidelines, but at the moment I think it is a great insult to the trustees and to the electors at the school board level that they have been virtually neglected in the discussion on this legislation.

I tried to move an amendment to bring the school boards under Bill 29 in the committee and I was ruled out of order on the grounds that it was not there and I could not insert it. I think it is a great weakness in the legislation, and I am surprised that the legal powers allowed the legislation to go forward without empowering the Minister of Municipal Affairs and/or the Minister of Education to make recommendations



on school board boundaries in order to submit them to the cabinet. That is another area we really would like information from the minister on.

I want to just say that if the city of Toronto, for example, should adopt one of the four options that are now before it—those options include two that are really gerrymander options—if it should adopt one of the gerrymander options, we will really be deciding the makeup of the council, both the Metro council and the city of Toronto council, for the next three years and that is a grave responsibility.

I think we should not be allowing the possibility of the options which do not provide a fair and equitable representation across the city being considered. It appears that a group of right-wing councillors and aldermen have twisted and distorted the boundaries that were put forth by the city clerk and the city planning department in two alternative proposals which appear to have no other purpose than to entrench their own positions.

The situation at the school board is even worse. Here the right-wing majority, against a combined opposition of all other trustees and against public protests, adopted a set of proposed boundaries which defy rationality and common sense. Boundaries cut across Metro wards and bear little relationship to any of the proposals from Metro and city wards. If approved, they would lead to widespread confusion in this fall's municipal election. Again, the only purpose appears to be to entrench the positions of the majority members.

Any changes to the municipal boundaries must meet with the approval of the provincial government, so that now the only thing that stands in the way of giving Metro Toronto back to the developers' lobbies is the backbone of the Minister of Municipal Affairs and the cabinet.

I therefore urge him and the cabinet to reject all gerrymander proposals and approve only those proposals which provide for fair and equal representation and a democratic system of election in this very large municipality. There are approximately 2.2 million people in this area affected by this bill.

My amendments set forth guidelines which would ensure that Metro reform not only gives us direct election, which most of us want, but also gives us an improvement in representation. That is the purpose of the amendments—to give the government a chance to bind itself by guidelines which would rule out the kind of manipulation that is going on. It is possibly going on in other municipalities, but I do not have as much

information on it as I do on the city of Toronto and the Toronto school board.

The fact that we do not have any disclosure of election expenses either leaves people to believe that the developers' influence may continue and grow if we allow the city also to have wards in which there is unequal representation instead of getting councils elected which represent the different viewpoints in the city.

I think it is a very serious situation. All the electors in the municipality of Metropolitan Toronto deserve a kind of election reform that is something we can be proud of, that will not have to be challenged at the Ontario Municipal Board next year after the election is all over and that will ensure we are really making real progress towards representation by population and fairness.

Incidentally, on the appeal to the municipal board, I think it is highly inappropriate as the body to have the appeal go to after this election because it is not versed in the principles of electoral representation. It is mainly concerned with the economics of development and balancing community interests against the economics of development.

In the meantime, after this bill is passed and after the 1988 election, I think the government should bring in legislation to provide an independent boundary-setting body for the whole province, not just for Metro Toronto. That body could take over the task that is given to the OMB in this legislation and we could have a much more appropriate group of people making the decisions about future boundary changes, the same as are made at the federal and provincial level.

I do not think you can delegate it to the federal or provincial boundary commissions either. It should be a province-wide body that would be available whenever a municipality in the province wishes boundary changes, that could examine the various possibilities and then rule on what would be a fair changing of the boundaries after listening to public input.

There was a little public input on Bill 29. I understand the minister encouraged the municipalities to do so. I am not too aware of what the extent of public input in all of the municipalities was and I think that is another principle that must be demanded by the government in boundary changes in the future. There must be full opportunity for examining the various proposals that are brought forward by the independent body, as there is at the federal and provincial levels; because it can make mistakes too, but at least it does not make mistakes because of a



conflict of interest if it is a truly independent body.

Mr. Chairman, I ask you to consider putting my amendment to a vote on each item and I hope that the House will decide it is important to remove the flaws in Bill 29 before we put it through.

1600

**Mr. Cousens:** There are a number of flaws, not only in the bill itself but also in the process that has been followed with this bill. If you go back some length of time, there has been a long review of the need to look at Metropolitan Toronto government. Indeed, one of the reports that was done on it was done by the Honourable John P. Robarts in June 1977—Metropolitan Toronto, *A Framework for the Future*.

For a long time, politicians in and around Metropolitan Toronto have realized there has to be reform of Metro government. In fact, our party supports the intentions behind that kind of reform, of direct elections and so on. There are a number of initiatives in this bill that go back to some of the thinking that existed in the Robarts report and in the excellent report that was tabled in the House in November 1986.

At that time, another report was done that gave a number of options on how Metro government could be changed and how best to implement some of those changes. It did not come out with specific recommendations, but it meant that from November 1986 to the time we finally got Bill 29 tabled in the House, there was an opportunity for the government to respond, to think and to dialogue with those municipalities.

A large part of the problem with this bill is just in the way it has been handled by the government. It was not until November 23 last year, some three or so months ago, that the government tabled Bill 29 for first reading. That meant we are talking less than a year from the time the bill will have had to be considered by this House, fully debated and understood, to the time the people of Metropolitan Toronto will have an opportunity to really think about the changes that are going to be made affecting the future of Metropolitan Toronto government.

This bill has significant implications. We are now creating the seventh-largest government in Canada in the creation of the Metropolitan Toronto government. It has implications of a financial nature. As we heard last week in the representations made by some of the councillors and others who came, they are aware of the cost of democracy. The salaries that will go into paying the new Metro councillors exceed even

those made by back-benchers of this House—I think some \$57,000—but then there is going to be secretarial staff, office equipment, computers. Who knows the costs that will surround the creation of Metropolitan Toronto government?

Interjection.

**Mr. Cousens:** I am not saying I am opposed to that either. What I am concerned about is that when you make that kind of commitment, then you must make sure that all the people involved understand what the true costs are.

We are probably one of the most governed people in the world. I am glad we have democracy, but when you start thinking of all the different levels, we are now creating for the people of Metropolitan Toronto another layer, another tier of government, and I have great concerns with certain elements of this bill as to the impact and effect it is going to have in the long term on the dealings that go on in successful negotiations that are part of a Metropolitan Toronto government.

Therefore, I am concerned with the way this bill has been brought forward. It was not until November 23 that the government tabled Bill 29 for first reading. We have it here, Bill 29, *An Act to amend the Municipality of Metropolitan Toronto Act*. We are now here, some two and a half months after the bill was debated in the House. It was our party that was able to successfully force this bill into committee for public hearings so that there would be an opportunity for ourselves not only to make some reasonable amendments but also to hear what the public had to say about how it felt about this bill.

It is interesting how many people came and made representations. Twenty-one presentations were made to the committee; two were private citizens, nine were local politicians, two were senior officials at the local level, three were school board trustees and five were representatives of interested groups and organizations.

I venture to say that the reason we had only 21 presentations is that we did not go and advertise and let the people of Toronto know that we were in the process of making such significant changes to the future of Metro government. People in Toronto and the Metro area do not know what we have been doing. It is a terrible situation to be in, where you have a parliamentary committee looking at the future of Metro government and at that meeting we did not even have a chance to hear what the people had to say, because the people in Metro had probably not heard about it.

I know there had been press releases and there had been letters sent through the chairman of the



standing committee on general government, not only to councils but to the associations in Metro Toronto, but there is also a group known as the general public, that silent majority who just assume that everything is going to be looked after. How would they know about it when there had not been some proper way of letting them know? There was no public advertising by this Legislature or by that committee.

I am very grateful to one of the members of our committee, and I would like to put it on record because it is not often one gives compliments to the member for Mississauga West (Mr. Mahoney). The member for Mississauga West prepared a motion, which he placed in that committee last week, that would hopefully lead to more public sessions when we are having public hearings, by asking for the committees to have some advertising and some way by which the public can be informed.

It is unfortunate that this did not happen in time. It is terrible. What worries me—

**Mr. Chairman:** Order. May I ask you how this relates to the amendment to section 3?

**Mr. Cousens:** It does, totally. It relates to the whole bill. I could have had it in an earlier section before you got into it, but I am tying it in here and it will all tie in to the amendment and what we are all about.

The people in Metropolitan Toronto have no idea what it is we are doing here. For the most part, they assume that Queen's Park is going to keep running just fine.

I had a call this morning from someone in Metropolitan Toronto who found out it was too late for them to make a presentation in the time frame of last week, and now it is too late. We do not have time now, with this bill being considered in the House for third reading, hopefully today so we can get on with it.

The people of Toronto have no idea what is going to be happening to them next November 14 on municipal election day. The attendance at the polls in previous municipal elections is around 30 per cent. This time, because of the confusion, it could be even less.

What I see my friend the member for Beaches-Woodbine (Ms. Bryden) trying to do is to try to bring some sense to the bill, because it is not all necessarily there right now.

What we are talking about here is a very important bill that affects over two million people. It is the creation of a new level of government. What we want to make sure is that there is no chance of any concern by any person—

**Hon. Mr. Grandmaître:** What's so different? What's so different from what is existing now?

**Mr. Cousens:** I think there are a number of things that are different.

One of the ones that really concerns me is that the only link between the new Metro government and the local governments is going to be the mayor. The model that I like best and one of the models that was presented previously in the other reports would have allowed the joint-seat option, where you had a person who is not only a member of the Metro government but is also a member of their own local council.

**Hon. Mr. Grandmaître:** So you like the status quo. That is what you're saying.

**Mr. Cousens:** No. It is not the status quo all over. It is in Toronto, but I believe we are going to have a major problem, I say in response to the question that has been asked by the honourable minister. The problem we are going to have is a no man's land and the failure of a local government and the Metro government to deal with common concerns of overlapping interests such as planning and parks, which are not just the prerogative of one or the other government. Both governments are going to have to interface and work together to resolve those concerns.

Right now, by having two separate governments, with the only link being the mayor, I believe and have reason to believe, through the representations that were made last week, that this is going to lead to problems, not unlike the problems that we had in Winnipeg with that type of government.

In the meantime, we are dealing with the amendments that have been tabled by the member for Beaches-Woodbine. I understand we are going to vote on each one seriatim. I think that is what the member for Beaches-Woodbine has asked for, is that right?

**Mr. Chairman:** If you could ask that question at this point?

**Mr. Cousens:** I will ask on that point, yes.

**Mr. Chairman:** The tradition is that we vote as a block. I would have to ask for the unanimous consent of the committee in order to look at this point by point. When the vote comes along, I will ask for that commitment.

**Mr. Cousens:** I suggest you would be wise to do that. Certainly, clause 4(a)(i) is identical to the one in the government bill, so they would probably want to support that one. But they might have had a chance to rethink their position on some of the other amendments that the



member for Beaches-Woodbine has made. So I would support consideration of that.

1610

As you are looking at Metro boundaries, we are seeing so much opportunity for confusion for the electorate. I sense that is the intention, that is what this motion will try to resolve, so that the people, when they are—

**Mr. Black:** Are you speaking against direct election? What are you saying?

**Mr. Cousens:** It depended on the option, though, because there were four different maps. The member for Beaches-Woodbine has already tried to teach you about how the different maps for Toronto are being set up.

**Mr. Black:** You and the member for Beaches-Woodbine are the only people confused. Everyone else understood.

**Mr. Cousens:** No, I am quite aware of it, but obviously this honourable member is not aware of what those maps were really trying to show. They could be very confusing to people by virtue of the way in which the wards would overlap. What the member for Beaches-Woodbine is trying to do is to bring some sense to it.

I am really surprised. Maybe the member for Muskoka-Georgian Bay (Mr. Black) has some insights that he wants to offer to us, or maybe this is the chance to ask the member for Brantford (Mr. Neumann). I am convinced there is going to be an opportunity for serious problems for the people in Metropolitan Toronto on a number of different fronts.

Let me just finish some of my comments, because we look forward to hearing what the parliamentary assistant to the Minister of Municipal Affairs has to say on this.

The one concern that touches upon every politician is the danger of some form of gerrymandering. I have not sensed that as being something there is evidence of within Metropolitan Toronto, though I do feel that the intention behind the member for Beaches-Woodbine's amendments is to try to get around some of that problem.

Our party has put forward another amendment to this bill which I will be placing shortly. Unfortunately, because of the way the bill has been drafted, it is very difficult to make this amendment right now. It could probably preclude the kinds of problems the member for Beaches-Woodbine is having with her amendment. It would be the creation of a Metropolitan Toronto election boundaries commission so that there is an independent group responsible for the

boundaries of Metropolitan Toronto. This independent commission would operate in much the same way as the boundaries commission did for Ontario in the creation of new electoral districts that we went through in the election of September 10 and in much the same way as the electoral boundaries commissions operate for the federal government.

In the creation of a Metropolitan Toronto government, which this bill is going to enact in a very special way, giving it new powers and a whole new look, why not at the same time remove from anyone's even possible perception that there would be a chance that someone would gerrymander the boundaries of his ward? That is one of the concerns I have heard the member for Beaches-Woodbine address, and I think all politicians agree—especially when we are as concerned as we are about the next bill that we will be debating very shortly, conflict of interest—the last thing you want to have is politicians having some sense of controlling their own destiny in that way. It is wrong, and I think the member for Beaches-Woodbine is trying to address that concern.

I am concerned that we are in the process of speeding through these changes for Metropolitan Toronto without having involved all the people of Metropolitan Toronto. We are railroading it through. The majority of this government has gone on in such a way that we had only 21 representations last week. Who knows how many more representations would have been made if people had known that the committee was meeting?

Fortunately, to show that the government members were listening, at least one of those representations had the effect of causing the committee, or the government members anyway, to bring forward an amendment that acknowledged at least one of the points that was made by one of those people who attended the meeting last week.

I think it was Bob Yuill who made those points by asking: "What happens when a mayor is unable to attend the Metro meetings for a month? Is there not some way in which we can have a substitute for the mayor in such circumstances, and for that substitute should we not include some change in the bill?" An amendment was made that allows for that substitution. I do not know whether the New Democratic Party supported that one or not. I know our party did, but I like the fact that through those public hearings we were able to gain at least one idea that affected



the government and that was able to be implemented.

Had we listened to more people, were this bill not to be rushed through as it is now, I am convinced that the government members, the Liberal members in this House, maybe even the parliamentary assistant, who is so intransigent and so bent on pushing this bill through without any change—this is his first chance for success at Queen's Park, to be able to say, "I brought in Bill 29." Even if it is flawed, even if it has mistakes in it, he is still going to have the sense of saying, "I carried it through for the minister." We are really glad to see him in the House carrying on in an efficient way, as he did last week in committee.

We are dealing with a bill into which, if we could, we would like to put some common sense. What the member for Beaches-Woodbine is trying to do is to bring that about. The bill is a mistake in some ways and it is a good thing in others. It is good to see reform. It is good to see Metro government thrive. I am glad to see elected representation and the sense in which we are going to have some of those reforms be effected. But what about the electorate? How confusing is it going to be for people, who will not know who and where and what is being done by them? When I say "who," there is going to be great confusion unless there is some sense brought to the ward boundaries within Metropolitan Toronto.

I have a number of questions for the parliamentary assistant, and maybe he will answer them automatically, in response to the presentation that was made earlier by the member for Beaches-Woodbine. On the overlap that takes place from one ward to the other, has the government had a chance in this early stage already to review the different recommendations on the boundaries that are coming through from the municipalities to see whether there are problems being created there that would otherwise be addressed by the amendments proposed by the member for Beaches-Woodbine?

I would also like to know why there was not more co-ordination, and this is something the member for Beaches-Woodbine has been concerned about. It has to do with the fact that this does not affect just councillors and aldermen; it also affects the school board trustees from both the public and separate systems. Why was there not some integration of both of those into one bill, or why was Bill 76 not brought forward? We are talking about some 45 different bills between when Bill 29 was presented and when the other one, for school boards, was brought forward.

Why was there not some working together of the Minister of Municipal Affairs and the Minister of Education so that there could be some linking and some integration of the whole problem portrayed, at least by the three trustees who came and made presentations to the committee last week?

If I have one concern, it is the confusion to the electorate. We want to encourage people to participate in democracy. We believe in democracy. If anyone is going to believe in it, it is the 129 members of this place. Ron Van Horne from London North is not here any more—he got used to the kind of democracy in the Peterson government—but the rest of us really understand what democracy is all about.

**Mr. Ballinger:** Give us a break, will you.

**Mr. Cousens:** The member for Durham-York said, "Give us a break." He is going to get his break. The House sits only this week and then he has until April 5, when we come back.

I am concerned about the confusion that can exist for the people within Metro Toronto. Possibly, specifically, the parliamentary assistant could respond to that question, which is the number one question I have to raise: the confusion for the people of Metropolitan Toronto on this whole system. Maybe we could have some dialogue on that one.

**Mr. Neumann:** It is a pleasure to rise in support of this bill and speak to the amendment that has been proposed. First of all, I would like to say that the committee hearings last week were well attended and all committee members made a very positive contribution to the development of this bill as it emerged with several amendments.

I would also like to say that the hearings convinced me this bill had very broad support across Metropolitan Toronto. As an example, the Board of Trade of Metropolitan Toronto came to the committee and indicated that it was time to get on with it and press forward with these reforms. Shortly behind their presentation came the representation of the Labour Council of Metro Toronto, saying that it does not often agree with the board of trade but that this one is a good bill and it should proceed, that it represented basic reform in Metro Toronto.

**1620**

Dealing specifically with the amendments, I can assure members of the House assembled here as a committee of the whole that gerrymandering is not occurring. It is not occurring because the minister established clear procedures and guide-



lines to the municipalities in his correspondence, and the consultation process has been effective.

The flexibility that is provided within this bill for the interim wards that are to be established for this year's municipal election permits the flexibility that is necessary. For example, this amendment that is put forward would not permit the flexibility which the city of Scarborough has put forward. All members agreed that its presentation to the committee made considerable sense. It is trying to develop a procedure whereby its existing 14 wards will fit within the six Metropolitan Toronto area wards. In doing so, some of the Metro Toronto wards will have two local wards and some will have three. It has selected, where there is a necessity to have three to have the smaller ones grouped, and where there are two to have larger ones grouped, and it still is within the guidelines established for representation by population. But it allows the city to maintain its local wards, given the flexibility of the bill; wards which it carefully drafted not that long ago and wards which took account of what areas of its municipality are experiencing population growth and are likely to continue to grow.

So the bill provides flexibility for this go-round. It also provides the guideline of the same number of area wards in each Metro ward for future reviews through the Ontario Municipal Board process.

So I believe the amendment is not necessary. The feedback we are getting from the various municipalities is that they can meet the guideline. In fact, one of the government amendments on the procedure and the reporting back from the municipalities once this bill is passed was to reduce that period from 60 days to 30 days, and this was supported very strongly by the municipalities because they feel they have made very good progress. They are working towards developing those wards and they have no difficulty meeting the 30 days that are now in the amended bill.

The bill is not flawed. The process is working well. There is flexibility and, in the future, the Ontario Municipal Board will be there as a final step for appeal if citizens do wish to take that approach.

I would like to point out that some comments have been made about the need for an independent boundaries commission, an election boundaries commission. I would like to point out that the comment was made that at the provincial and federal levels the elected members do not set their own ridings. That is not entirely true. I

understand that while boundary commissions are established, they report to the House at all levels, and the House has the final say. So the elected members are involved at the federal and provincial levels. There is nothing within existing legislation in Ontario that would prevent a local municipality, in reviewing its ward boundaries, from establishing an advisory committee of citizens, or its own commission, to work out those new boundaries and bring them to the council for recommendation.

Indeed, in the present legislation, which involves the Ontario Municipal Board, the application for ward boundary reviews does not need to come from the municipality. It can be initiated by a petition of citizens. So I believe that the present process has worked very well throughout Ontario, with the Ontario Municipal Board being the court of review for ward boundary changes, and that it will continue to work well.

I think what this government is saying is that we respect the local municipalities and their ability to tackle these issues. We see no need as legislators to step into the situation, as was indicated by the mover of the amendment. We believe the system is working well. The guidelines set out by the minister through the municipalities are being followed; if there is a need for review, the minister has indicated that he is open to hearing from anyone in the city who has a concern about the ward boundaries prior to sending it for approval through the order-in-council process.

The approval process at the municipal level is a public process. Public meetings have been held. Councils will be adopting the wards at public council meetings. Anyone who has a concern can at that point write a letter to the minister and express those concerns, and the minister will take them into consideration before sending these ward boundaries through the order-in-council approval process.

In conclusion, I do not believe this bill requires this amendment. I commend the member who moved it for the general principles stated, but I believe those principles are being followed. Definitely, the bill is long overdue and Metropolitan government reform is needed. It has been a good system of government, and this bill will make it even better.

**Mr. Chairman:** Do other members wish to comment? Does the member for Beaches-Woodbine want to comment now?

**Ms. Bryden:** I wish to rebut. Unless there are other members who want to get into the debate



first, I would like to reply to some of the statements by the parliamentary assistant.

First, though, I would like to commend the member for Markham (Mr. Cousens) for his comments. I hope that indicates he will be supporting my amendment. Certainly he was very much aware of the issue of what was going on in some of the municipalities of Metropolitan Toronto and of the need for stricter guidelines. We are trying to bring those concerns to the House, and I think he helped in making them clearer.

I would like to remind the parliamentary assistant that the Labour Council of Metropolitan Toronto likes the idea of direct election, and I think most people in the city of Toronto like the idea of direct election and of separating the representation on the Metropolitan council from the representation on the local councils; but I did not hear them express any approval for options B and C, which were brought forward in the city of Toronto. I think they supported the tightening of guidelines and the spelling out of guidelines which would prevent gerrymandering, because they know that the municipal councils they deal with should represent all points of view and should not become pro-developer councils, as we seem to have had happen in some municipalities and as particularly appears to be developing in the city of Toronto.

Second, when the parliamentary assistant mentioned that boundary commissions do have input from local members, it is an entirely different kind of input than I was talking about. Certainly boundary commissioners do not live in the area and do not always know the local circumstances, so you must have an opportunity for their proposals to be reviewed by local people.

We do have a very good process, I think, at both the federal and provincial levels for input from local members, but the final decision is still made by the boundary commissions after they hear the representations from the local members. In some cases they accept the representations, in others they do not.

This is the kind of boundary commission we need, and it should be province-wide in order to be truly independent. The parliamentary assistant suggests that any local municipality can set up its own independent commission. I submit that if any local council appoints a boundary commission, it cannot possibly be an independent commission. They all have their own conflict of interest as to what kind of boundaries they want, and therefore they are likely to choose

members of that so-called independent commission who will support their viewpoint—that is, the viewpoint of the majority on council.

That is not an answer. It is a province-wide boundary commission that we hope the minister will bring in after the 1988 election to replace the Ontario Municipal Board. A lot of deputations did say they thought the OMB was the wrong instrument for settling boundary disputes.

It is very interesting that the Minister of Education, in his new Bill 76 affecting trustee representation across the province, does not provide in that bill for an appeal to the OMB on boundary choices but sets up an appeal to a judge. Obviously, the Minister of Education is not convinced of the impartiality of the OMB as regards electoral boundaries or of its competency in that field. That is another reason why I urge the minister and the government to consider an independent boundary commission.

#### 1630

Regarding the point he raised about the fact that my guidelines would not fit the municipality of Scarborough: until we had the hearings we did not know what the proposals were from the six various municipalities. We still do not know entirely because some of them have not finalized them yet, but it appeared from the evidence we got that my guidelines would fit all of the six municipalities except possibly Scarborough.

We were prepared in the committee to consider an exception for Scarborough because of its state of growth at the moment; perhaps we could not strictly bring it under the guidelines. Scarborough is the fastest growing municipality in this area; it has a number of areas that are growing more rapidly than others. Some of its wards may need revising in the future, but the point the council made was that it was not ready at the moment to revise those boundaries. They would prefer to go into the new Metropolitan setup with their existing wards and somehow fit them into the Metro wards; but as they have only been given six Metro wards and have 14 area wards, it is rather difficult to fit 14 into six on an equal basis. You have to have different numbers of area wards.

We recognized that in the committee and suggested that perhaps there should be an exception in the legislation for them, with the hope that a year from now they would revise their boundaries and follow the guidelines of having the area wards a whole number multiple of the Metro wards. The Liberal members on the committee voted against that amendment too, as well as the Conservatives. The suggestion that



Scarborough needs special treatment was rejected by the Liberal members.

If there is a special case for Scarborough, and I have indicated some of the reasons why there may be, the minister and the cabinet still have the power to make special exceptions. It is not a good principle to have the exceptions written into the legislation, because it then violates the principles we are trying to establish that should be the guidelines.

The interesting thing is that the guidelines in the proposed clause 152b(2)(b) of the bill actually accept my second guideline, subclause 5a(4)(a)(ii) of my amendment; that is, that "the number of local wards in each area municipality that is equal to or a multiple in whole numbers of the number of Metropolitan wards in that area municipality..." shall be recommended.

In the bill, the minister is recommending adoption of my subclause 5a(4)(a)(ii) and subclause 5a(4)(a)(i) is already in the bill, but he is recommending it only after 1988. He wants the power not to follow that principle in subclause 5a(4)(a)(ii) now. I say leave it up to the cabinet and the minister to make any exception, but accept the principle, as he is suggesting it for the future.

Those are reasons we should still adopt my guidelines, which will make it much stricter that we do seek our objectives of representation by population and a more equitable representation in all Metro wards, so that we get the same number of area wards, we get them within the Metro boundaries, and we do not have different numbers of area wards in Metro wards unless the cabinet decides it is warranted in a special situation.

**Mr. Cousens:** I would like to hear the reply by the parliamentary assistant to the concerns that were raised by the member for Beaches-Woodbine, because I might otherwise just repeat some of the ones she has raised.

**Mr. Neumann:** I believe the points made by the member for Beaches-Woodbine are interesting points, but we believe they are already covered off in the bill. The Scarborough proposal does not need an exception, because it is in keeping with the guidelines established by the minister. While future reviews of wards would require that each Metro ward have an equal number of local wards within a given municipality, there is provision within the existing, present process for the flexibility desired by Scarborough.

In reviewing the amendment, subclauses 4(a)(i) and 4(a)(ii) and clauses 4(c) and 4(d), I

believe, are all currently provided basically in the bill. The only substantive change that is recommended is clause 4(b), which says, "shall take into account the principle of representation by population, the existence of local boundaries and communities and any patterns of future growth." While this wording is not in the bill, there were guidelines sent to the municipalities by the minister, and it is our belief, in looking at the proposals that have been generated to this point, that the local municipalities are taking into consideration these general principles.

**Ms. Bryden:** I would like to ask the parliamentary assistant, if the guidelines were sent out to all the municipalities—I do not know whether they were sent to the school boards—what is the objection to putting them in the bill and having them there so that if there are any challenges in future the people know on what basis the minister is making his recommendations? That is question number one.

The second question I would like him to answer is that he has not indicated to us, if he can tell us, what the date is that the election expenses bill will be introduced in this House, because without that the people who will be participating in elections in the Metro area, both school board and municipal, will have no idea what size of contributions they can accept.

Without that sort of legislation getting into effect very quickly, I am sure there are going to be many people who will wish to get their contributions in beforehand without having to disclose them. Certainly it has been happening; apparently many developers have been sending in contributions. Those people will be rushing to get their contributions in before that legislation gets into effect and before there is any ceiling on what they can give, and that is a very serious situation in this city. The press has already revealed that a great deal of this is already going on and that the war chests of the incumbents are being built up by large donations from developers. This government simply is abdicating its responsibilities for democracy in this area if it does not bring in legislation to stop that as soon as possible—really, before the 1988 campaign gets going.

My third question that he has not answered is whether he has consulted the Attorney General (Mr. Scott) or other legal people as to whether the Minister of Municipal Affairs really has the power to approve the school board boundaries, since the school boards are not even mentioned in the legislation. I hope the Attorney General might also give us an opinion as to whether the



powers of the Minister of Municipal Affairs can extend to making rules for the school boards without their even being mentioned in the legislation. It says he shall prescribe boundaries for the municipalities. It does not say anything about prescribing boundaries for the school boards.

**Mr. Neumann:** With regard to the first question about the principles outlined in the amendment, it is our belief that this is not necessary. It is our view that the legislation should not encumber the decision-making at the local level. We believe in local governments and we have confidence in their abilities. The minister has sent out guidelines to the municipalities that they should keep within the principles of representation by population. Everything we heard at the committee indicates that the municipalities are taking this seriously and have listened to citizens along the way.

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On the second point, with regard to education, the committee in its hearings last week heard that the election of trustees will take place within the boundaries established by the municipalities. What remains to be determined is how many trustees will be elected in each local ward.

Local wards will be used for the election of trustees, so there is no need to mention this specifically in the bill. Once the enumeration is done and the distribution of public and separate school supporters—who, as we were told at the committee, do not distribute themselves conveniently evenly through the Municipality of Metropolitan Toronto—is determined, there will then have to be some decision made, whether wards would be combined or whether some individual wards might have one trustee and some might have two or more, to try to keep the trustee elections as close as possible to representation by population.

I have forgotten the third point the member made.

**Ms. Bryden:** Whether the legislation should come forward with my amendments, which do not fit the municipality of Scarborough but allow the exceptions to be made if the cabinet considers them necessary through the process of approval by the minister and the cabinet rather than distorting the legislation and permitting gerrymandering, as it does at present, in order to accommodate the municipality of Scarborough, which may have special problems.

**Mr. Neumann:** On the Scarborough point, I already mentioned that flexibility is there within

the bill. The bill does not need an amendment. But there was another point the member raised and that was with respect to another bill which the minister will be tabling in the House. He did make a statement to this House on the general principle and outline of that bill on municipal election reform across Ontario. I think it is a very appropriate question for the member to ask, and probably the most appropriate place to ask it would be in question period when the minister is present. I understand, however, that it is very close to being finalized.

**Ms. Bryden:** I have just one other question of the parliamentary assistant. Can he tell us whether there is any work being done on the proposal to have a municipal tax rebate for electors who donate to political parties, or are representations being made to the federal and provincial governments to provide a tax rebate similar to what electors at those levels receive? That is also part of the puzzle. All the speeches on second reading indicated that those parts of the jigsaw puzzle really must be known before we are in a position to bring in true reform for the Municipality of Metropolitan Toronto.

**Mr. Neumann:** The government is well aware that there are several pieces of legislation that need to be completed and finalized by this Legislature for the smooth running of municipal elections this fall. It is going to be a challenging task, but it is achievable. What we are dealing with here today is the reform of Metropolitan Toronto government. The other matters being raised are province-wide issues, which are being addressed by the government.

**Mr. Cousens:** I would like to get some clarification, if I could, from the parliamentary assistant. Some concerns came out of the delegations that made representations to our committee last week.

By the way, I did not have a chance to compliment the chairman of the committee. I think she did an outstanding job and really got along with everybody very well. It is worth while noting that the member for Durham West (Mrs. Stoner) did not treat us any differently from the Liberal members. That does not mean to say she will get a compliment tomorrow or the next day, but I think it is important to recognize that the committee did work well together, even though we do not agree with the legislation and with the position the government is taking. I think that is also an indication that parliament can still work, even with this horrible majority we are dealing with and even though they have just used that big hammer to push it through.



The member for Beaches-Woodbine has raised a number of points and she has put in her reasoned amendment the kind of concerns that people have for Metropolitan Toronto, for the municipality of Toronto in particular, where they have a concern that they live in one area and their ward alderman is going to be going in one direction and their Metro alderman totally in another. What she is trying to do with this amendment is that the number of local wards in each area municipality shall be a single member ward, clause 5a(4)(c).

Can the parliamentary assistant indicate in this House that this is not going to happen, that what is going to be coming in to the minister for his final review is really going to be very plain and straightforward and will not be confusing to the electorate? Second, could he also indicate to the House the time frame in which all the key decisions will be made? We had the minister make a commitment last week in committee. I would like to have that on record in Hansard right now. Third and finally, does he see any changes being made by the minister to the ward boundary recommendations that come from the different municipalities?

**Mr. Neumann:** First, the minister indicated to the committee that he would be abiding by the timetable as outlined, 30 days for official response from the municipalities. He anticipated that very shortly after receiving all these responses he would be acting on recommending approval through the order-in-council process. This would mean the order in council should go through around the end of March. I believe that was the answer the minister gave.

The procedure has been a good one. I believe there has been full consultation by the municipalities of all of the citizens who have concerns. Any citizens who have further concerns after their municipalities have approved the wards have the opportunity of corresponding with the minister and indicating those concerns and he will be taking those into consideration.

**Mr. Cousens:** The other question I wanted to have the parliamentary assistant answer dealt with the confusion of the electorate over the way the ward boundaries were going. One thing the amendment of the member for Beaches-Woodbine would do is have the wards all composite of a Metro boundary. Could he respond to that? Is he saying that is not a problem at all with the recommendations coming forward? Is the minister going to impose some of the thinking that has gone into these amendments or is he going to have another set of criteria? In

fact, maybe the parliamentary assistant could indicate to the House what the criteria are that his ministry will be following in the approval of the boundaries for the wards in Metropolitan Toronto.

**Mr. Neumann:** I indicated that the minister had sent out letters to the various municipalities requesting response and giving some direction. The minister indicated to the committee that he would be willing to consider suggestions and alternatives to those proposed by the municipalities. I assume he would make changes if he felt they were not in keeping with the general principles of representation by population, neighbourhoods and so on.

With respect to confusion, I do not believe there is any confusion. I believe the bill is very clear. It states exactly how many Metro wards there will be in each municipality. It states that these Metro wards will be divided into area wards for the local municipalities, that it is their decision how to structure that initially. These will all be single-member wards. The only double- or triple-member wards that could occur conceivably will be later on with respect to school board elections if it is deemed there is a different kind of population distribution across Metropolitan Toronto or within a municipality of public versus separate school electors. It may be necessary to do some rearranging and it may be necessary to have some double-member school board wards; but with respect to the municipal level they will all be single-member wards, and I do not really see the need for this amendment.

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**Mrs. Stoner:** I would like to thank the member for Markham for his kind comments on the chairmanship of the committee, but I would also like to respond to the points he made twice in the House today about the notification of the hearings of the committee.

The points I would like to make are that the members of the subcommittee of the standing committee on general government were polled as to whether or not they thought advertising was appropriate or whether there should be other methods of notification. On that polling, the member for Simcoe Centre (Mr. Owen), the member for Beaches-Woodbine and myself agreed that, in fact, letters of notice to individuals and organizations was the appropriate way to go. The clerk had expressed concern that advertising was not, in fact, getting the kinds of responses in other committees that they hoped it would.



The member for Simcoe East (Mr. McLean) was asked the question and asked to respond to the clerk of the committee if he had any objection to not advertising and the clerk did not hear from him.

The committee then forwarded—

**Mr. Cousens:** Mr. Chairman, on a point of order: how can the member say he was polled if she never heard from him?

**Mrs. Stoner:** No, I am sorry. The member for Markham is incorrect about what I stated. I said the members of the committee were polled, that is the members for Simcoe Centre, Beaches-Woodbine and myself of the four on the subcommittee. The other member, the member for Simcoe East, we were not able to reach, and the clerk left a message with him to get back to us, but we still had three out of the four members of the committee agreeing that advertising was not the appropriate means and that we should go with notification.

We then went with press releases to all of the Metro papers. We notified hundreds of individuals and representatives of Metro ratepayers' associations, members of councils and school boards and interested organizations such as the labour council and the board of trade.

Thank you, Mr. Chairman, for allowing me to insert those points of information.

**Ms. Bryden:** I would also like to insert the point of information that the committee did recommend that—at least it was put before the committee—in future, advertising of all committees should be considered essential and the decision not to advertise should have to be made by the whole committee. But that is something for future consideration of other committees as well as the standing committee on general government, because there was some confusion about whether the decision on the advertising had been put to the whole committee or to enough people. I certainly believe that all committees which are dealing with an important section affecting 2.2 million electors—that is the population anyway—should advertise their hearings. We are not debating the committee's procedure right now.

**Mr. Chairman:** You are quite correct.

**Ms. Bryden:** I did want to say that I am very pleased the parliamentary assistant has, I think for the first time, clarified for all the members here that there will be no difference between the municipal wards and the school board wards established in any part of Metropolitan Toronto. I do not think that was ever really clarified in the

committee, partly because, I guess, the proposals from the school boards had not come in and were still being expected after the committee was sitting. So I think that great confusion that exists among most trustees and school board electors remained during all the committee hearings and up until this day when the parliamentary assistant has said that is the principle.

I would like to ask whether the Minister of Education, who is here I believe, would like to comment on whether he is agreeable to his having no veto on the proposals for the school boards, because they may not work too well with the difference in representation of the different kinds of school board electors. Does he care to make a comment on his role in the process or is he quite content to let the Minister of Municipal Affairs make all the decisions?

**Hon. Mr. Scott:** He's not here.

**Ms. Bryden:** I thought he was here. He was here.

**Mr. Chairman:** Do members wish to comment? If not, the member for Markham.

**Mr. Cousens:** The parliamentary assistant did not answer one of the questions I had previously asked him, and that is what are the criteria that he or the minister or staff will be using to determine whether or not the boundary recommendations of the six different municipalities—

**Mr. Dietsch:** Cousens' rules.

**Mr. Cousens:** I am anxious to know. The question is, I believe, a valid one. The minister will get the recommendations from the different municipalities within 30 days of when this receives royal assent. Then there will be a certain amount of time for his staff to review it. He will probably have some of them before that when the municipalities finish them earlier, and I am satisfied that they have made a commitment that they are going to have them to you. I am concerned about the criteria that the ministry is going to be following during that period of time.

I have another question that comes out of it, and that is: if a municipality is faced with changes that the minister makes arbitrarily because of the recommendations that are made, what recourse does it have at that time?

**Mr. Neumann:** The criteria which the minister will follow will no doubt be the one outlined to the municipalities in his letter to them; to keep as close as possible to representation by population and not vary more than 25 per cent from the average, which for the Metro wards is 75,000 population.



Other than that, I would think that the minister would be strongly guided by the decisions of the local municipalities, which, having listened to the public and held public hearings and gathered all the input, have made their decisions. We respect the local decisions making of the municipalities.

On the other hand, the minister will be using common sense and good judgement to review the recommendations of the municipalities. If there is some glaring problem with respect to neighbourhoods or boundaries, barriers within the wards, I am sure citizens who have a concern will be pointing this out to the minister once it is clear what recommendations they are presenting.

I believe that things are progressing well. I might also add that there has been ongoing dialogue between the staff of the ministry and the key staff in the municipalities throughout this process, from November to the present time. So when the minister does finally get the recommended boundaries from the different municipalities, it should not be a surprise to him.

**Mr. Cousens:** Well, I did ask the question of the appeal. Should the minister change any of those recommendations by councils, which they are working on—in future legislation you will have the Ontario Municipal Board as an appeal mechanism that people can go through. With this legislation it is going to become very final, with the one or two criteria that the parliamentary assistant gave.

Are there not other criteria in this amendment that could be part of the thinking the minister has? The member has read them just as easily as I do, I do not want to take the time of the House, but are they not also part of it?

The second part of the question I asked had to do with the appeal should the minister change any of the recommendations. Otherwise, what the member for Brantford is saying is that there will be no changes; but if there are changes, I want to know how those councils are going to deal with them.

We are talking about a bill that is being rushed through the Legislature. If we were to have the time spent on this that there should be, there would be public hearings, there would be far more opportunity for those councils to get back.

I would also like to comment on the point that was made by the chairman. I do not believe that the member for the Progressive Conservative Party, the member for Simcoe East, responded in the affirmative to go without advertising. He is satisfied that he does not remember that. So there is a sense there in which our point still stands. If

you are going to have public committees, public hearings, then you had better advertise. Because this was not advertised, it was not very public. That is my point, it is still my point and it is still valid.

I would like to go back to the parliamentary assistant and get his answer on the criteria and on the process that will be followed should the minister start making changes. We are talking about the potential for changes being made. I do not have the confidence in this government that the parliamentary assistant has. That is why we are here.

**Hon. Mr. Scott:** That's why we're here.

**Mr. Cousens:** Yes, but come on; let us make sure there is something written down there to protect the people of Metropolitan Toronto who may not like what the government is going to do. Right now, the way this bill stands, there is nothing we can do about it, except today we can.

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**Mr. Neumann:** I think the answer is self-evident. The member knows the answer to the question, I am sure, because being a long-standing member of this Legislature, he is aware of the order-in-council process which is followed. There is no appeal. The bill is structured so the minister is the final check, through the order-in-council process. But having said that, I am sure that before making any changes, the minister would be consulting at a staff level, as has been the case all along.

I think what the member is really perhaps trying to do is to suggest there be appeal after appeal, extending the process so that, as he has indicated in committee, this bill cannot be implemented for this fall's municipal election and is delayed to 1991, which is the agenda he is on.

The intent of this government is to proceed with due, careful consideration, but proceed for implementation this fall and get Metro Toronto reform on the rails, get it moving forward, so that the people of this important area within our province—Metropolitan Toronto—will not only have good government but also have excellent government and be able, for the first time, to directly elect their Metro councillors, who will then be able to look more carefully at area-wide concerns across the whole of Metropolitan Toronto, which is the intent of this bill.

**Mr. Cousens:** The member knows you do not try to read intent into another member's words. The honourable parliamentary assistant was not as honourable in his comments. You just do not



interpret another person's intent. That is not within the procedures of this House. You can do it out in the wings, but as far as in here—

As far as our party is concerned, we are very supportive of changes being made to Metropolitan Toronto government. I am also quite prepared to tell the government—knowing that with its great majority it is going to do it anyway—that what I, as the critic for this concern, want to make sure happens is that there be as much public input as possible, that the public understands what is being done and that what is done is correct and right for Metropolitan Toronto, for all that area.

I have to tell the government it is delinquent in so many areas. One of the ones has to do with—

**Hon. Mr. Scott:** Don't read intent into what we do.

**Mr. Cousens:** It is. It has to do with the way the boundaries are being set up. The government is leaving the politicians open to suspicion, the perception that maybe there have been some games going on. That is why the member for Beaches-Woodbine has brought in this amendment. That is why I have an amendment to make, shortly after this, on the proposal to establish a boundaries commission. I believe in that process. It works for this place. It has even got a seat for the Attorney General. It carved it out. He did not gerrymander it; he earned it. I want to make sure there is that sense of removal from it.

**Mr. Harris:** He did not.

**Mr. Cousens:** Well, he might have earned it. I do not want to give him any compliments. The fact is he is a friend and I want to be nice in this new spirit.

**Hon. Mr. Scott:** Don't tell Susan Fish your view of that. She would be very upset. She was going to vote for you for leader before she heard that.

**Mr. Cousens:** You never know how people will vote.

What I want to do is make sure the people in Metropolitan Toronto understand the changes that are going on around them. We are making the changes almost in a vacuum because we have not really heard what they have to say.

I think what we have finally heard now from the parliamentary assistant is that whatever happens will be the minister's decision and will fall on his shoulders. We have also heard it said that the decision—and just so that is in the record, and he has now put it in—by the end of March, those who will be wanting to run for public office will then know from then on that: "The

boundaries are in place. Here is what we are having. This is what you are running for, local alderman or for Metropolitan council."

I am not satisfied that the answers have been as clear as I wanted them but I will leave it because we have other amendments to be made.

**Ms. Bryden:** I do want to give my friend the member for Markham his opportunity to move his amendment, so I just have one final comment. I am disappointed that the minister spent so little time with the committee. I think he came for one hour in the four days we sat. Then I was very disappointed when I read in the *Toronto Star*, on the day after the committee had passed the bill and recommended it come to this House, that Gary Sands, the executive assistant to the Minister of Municipal Affairs said to the press, if the quote is correct, "It is a fait accompli, really." In other words, the bill has been passed by the committee.

**Mr. Cousens:** Why do you bother having the Legislature back?

**Ms. Bryden:** Yes. Apparently what this House does today is of no interest after that. I think the government is in danger of being accused of Big Brotherism, which we used to say the previous government did too much in running municipal affairs. They should be ready to listen to the committee and not necessarily to say, once the Liberal majority on the committee has voted all the amendments down there, that it is a fait accompli.

We came here today with an amendment to show that it should not be a fait accompli and that there should be some revision of the rules following the hearings of the committee. I urge members to accept these amendments and spell out the guidelines so that it does not appear to be an act of Big Brotherism by the government to decide what is good for Metro Toronto.

**Mr. Chairman:** Do other members wish to comment?

**Mr. Cousens:** Can we take it item by item, subclause 5a(4)(a)(i) and then 5(4)(a)(ii)?

**Mr. Chairman:** That is what I am about to propose, if there are no other members who want to comment. Normally, we would vote on this in one block. The member for Beaches-Woodbine has requested that we vote in four separate blocks, (a), (b), (c) and (d). I would need the unanimous consent of the House to proceed in this way. Do I have unanimous consent?

Agreed to.

**Mr. Chairman:** Is it the wish of the committee that clause 5a(4)(a) carry?



All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

**Mr. Chairman:** Shall clause 5a(4)(b) carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

**Mr. Chairman:** Shall clause 5a(4)(c) carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

**Mr. Chairman:** Shall clause 5a(4)(d) carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

**Mr. Cousens:** I have another amendment to section 5b of the act, as set out in section 3 of the bill.

**Mr. Chairman:** Mr. Cousens moves that section 5b of the act, as set out in section 3 of the bill, be struck out and the following substituted therefor:

"5b(1) A commission to be known as the Metropolitan Toronto Municipal Boundary Commission is hereby established.

"(2) The commission shall consist of such persons as may be appointed by the Lieutenant Governor in Council.

"(3) The commission shall hold public meetings to consider whether it is in the best interest of the inhabitants of the Metropolitan area that, in each local ward, one person be elected to the council or the area municipality and one person be elected to both the council of the area municipality and the Metropolitan council.

"(4) If the commission determines that it is in the best interest of the inhabitants of the Metropolitan area that the election structure set out in section 3 be established, the commission may by order require the regular elections commencing in 1991 be conducted on that basis.

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"(5) In an order made under subsection (4), the commission may divide, redivide or alter the boundaries of any or all of the Metropolitan wards or local wards.

"(6) Unless varied by order of the commission, this act applies, with necessary modifications, to

the conduct of regular elections held under the Municipal Elections Act."

**Mr. Cousens:** Copies have been circulated, and the other honourable members have them.

**Mr. Chairman:** Do members wish to debate this?

**Mr. Cousens:** There are really two points that we are trying to make in this amendment. One is that there be a Metro Toronto municipal boundary commission, as per the federal and provincial governments. I briefly alluded to that earlier.

The intent of such an independent committee would be that there would be the holding of public hearings. There would be some adjudication of ward boundaries. It would remove the involvement of politicians' own interests, although they would have an opportunity to make representations. They could make their views known, and although at the end they could come back and give final ratification to this, it puts the guidance where it should be.

In fact, what this government is trying to do is just say: "We don't have any responsibility any more. We are just going to let the municipalities and everybody do what they want."

Sunday shopping is an example. This province is just going to throw it at the municipalities and let them do what they want. We all know what is going to happen. It is a chance for this government to say, "Whew, we got rid of that issue and we have now thrown it outside." It is going to backfire.

If you were in this House today and listened to the number of petitions which were made—for example, the member for Peterborough (Mr. Adams). I sat here with awe as he read with such intent the petition from his people in Peterborough, who say, "Do not open up Sundays." He is getting his own people telling him that, and then he is coming into the House and saying: "Look, we are not going to do it. We are just going to pass it back to the town council in Peterborough to decide." Where does he come out on that one?

Interjections.

**Mr. Reycraft:** We want to let them decide.

**Mr. Cousens:** The point is, and I am making the point as it pertains to this bill, this government—

**Mr. Dietsch:** On a point of order, Mr. Chairman: What part of this bill is in reference to Sunday shopping? I thought we were talking about the Metropolitan Toronto Act, not Sunday shopping.

**Mr. Cousens:** I am saying it is the same kind of action that the government is taking with this



bill as it is doing with Sunday shopping. It is a total abdication of responsibility. This government is not prepared—

Interjections.

**Mr. Cousens:** I think the people of Metropolitan Toronto are about to hear from the member for Scarborough-Ellesmere (Mr. Faubert). He is sitting over there foaming. I have never heard him even say a word for a while.

**Mr. Faubert:** You bet. You keep that up.

**Mr. Cousens:** He did ask a good question earlier today. The member for Scarborough-Ellesmere wants to participate in this, and I will look forward to hearing what he has to say on whether or not he agrees with the principle that the government should be in charge, that the government is responsible for something.

**Mr. Faubert:** I support the bill.

**Mr. Cousens:** That is a very easy statement, and I am glad the member does. I do not support this part of the bill.

**Mr. Faubert:** We know that. We heard you.

**Mr. Cousens:** What I am trying to do is bring forward a reasonable amendment that says that this province is going to establish a boundaries commission that is going to be responsible for boundaries.

I think we are concerned that the people of Metropolitan Toronto be involved in the development of those boundaries for wards and for Metro councillor seats. At this point there is no way in which they are involved unless it just sort of happens.

I happen to think we have a very responsible group of governments in and around Metropolitan Toronto. I am satisfied that they have had a very open process and they have involved many people in the communities. I thought North York was exemplary in the way it had public meetings. I heard as well that Scarborough even had public meetings. I think that was a process that went through all the Metro areas.

But may I suggest, why do the politicians not take one step back from the design and development of their own boundaries? We do not do it in Ontario. The federal politicians do not do it any more. It has to do with the sense of, "Hey, if we get involved in the design of those boundaries, might we not be thinking of our own interests ahead of those of the public at large?" Many of the representations that were made by delegations last week at our hearings in the standing committee on general government were in support of the idea of a boundaries commission. Why does he not do it? The first phase of this

amendment is calling for such an independent commission to be established.

I am sorry that the second part of that amendment is as long as it is, but legal counsel suggested that it be in that section of the bill that we include amendments pertaining to the joint seat responsibility.

There are a number of points that I would like to make on this, and it has to do with the overlapping responsibility that exists between the local municipality and the Metro government, because there are a number of areas in which both levels of government are going to be involved. When we have a member sitting on the local council who becomes totally aware and cognizant of the local council concerns, then that same person goes to Metro council, having sat through committee hearings, having listened to what has gone on in the local council, and carries forward at the Metro level that same sense of concern. That is the system the member for St. Andrew-St. Patrick (Mr. Kanter) would be quite aware of because that is the kind of government he has been used to within Toronto and Metro.

To me, there is a model there that permits and encourages dialogue and co-operation between those two levels of government. What we are going to have now is two separate bodies, the only link between the two levels of government being the mayor. The mayor will become the constant between the local council and the Metro government.

I am saying that is a concern. If the mayor is not a good communicator, if the mayor does not want to get involved in things, if the mayor just does his own thing without good dialogue, it is going to be an awful lot for the mayor. Why not allow all members of Metro council to be members of the local council? That is what this amendment calls for.

This amendment is consistent with the recommendation that came out of the report, *Metropolitan Toronto: A Framework for the Future*, by the Robarts commission in June 1977. One of the recommendations that was made there, if I can just read it into the record, comes from page 54 of that report: "In addition, the commission proposes that the directly elected Metro councillors be full members of local councils to provide liaison between the two bodies. They should not be eligible for local executive or standing committee membership." The key thing is that they be full members of local council.

The reason that becomes an important issue is the overlapping concerns that exist between the two councils. I have a list of the areas that are on



both sides of the issue, where we have got both a Metro issue and a local issue. When we have got the two of them, what we are really talking about is the different levels that exist. We should have the chance, for instance, for planning. Planning is not just a Metro issue, it is a local issue. Specifically, we will have areas in which Metro and local councillors can be co-ordinating their own concerns for their area.

Parks is another area where it is not just local, it is Metro. Are we going to end up having a no man's land? Are we going to end up having a war zone between Metro council and the local councils? Metro council is going to say, "No more development this way." Are they going to have the total say? What happens to the local council then?

I am concerned about the dialogue that would take place. When they have to come back into council and be responsible to the local councillors, there will be a better sense of knowing what they are doing and sharing.

I believe this amendment is an important amendment. I believe it makes politics work because it forces communication between the two levels of government. I support a directly elected Metro government, and I think the moves we are making in this bill are positive in that sense.

I think that very few people in our whole society realize how hardworking our municipal councillors and our Metro councillors are. They are the dedicated people in this province. They put in long hours and they are concerned about their communities. It is the grass roots having a representative at a local level. The member for Scarborough-Ellesmere would not be here had he not been very effective and good at the local level, and also at the Metro level.

But the fact is that that linking which comes together between the local council and the Metro council is essential. Let us not play it down. Are we going to end up having the same kind of problems that we as a Legislature have between ourselves and the federal government? We could have, when you start having the same kind of distance between the Metro and the local governments. Maybe what they will have to do is—if the mayor is not sufficiently strong, there should be all of them involved in this process. That is what our amendment tries to do.

1720

I would like to see this carry. The members of the government have had a chance to rethink their position. They have had a chance to hear what I had to say and I—

**Hon. Mr. Scott:** That is not the same as rethinking our position.

**Mr. Cousens:** I just thought it might be helpful. This, to me, is an approach that will make Metro work. I know that when Winnipeg had its two-tier approach, it did not work. There is a concern by many people that this new approach to government in Metro Toronto is fraught with the possibility of failure.

I would ask that the parliamentary assistant support this amendment. I would be very pleased to give him all the credit, should it carry, because it would show the leadership he is capable of giving, and probably once did give in Brantford.

**Ms. Bryden:** We agree with the member for Markham on the need for an independent boundary commission, but I am afraid I have to part company with him on setting one up just for Metropolitan Toronto and delaying the electoral reform for direct election until 1991 while we do that.

I also have to disagree with him on the solution for deciding on the areas where there is joint jurisdiction: the solution of having councillors elected with dual jobs, on the Metro council and on the local municipality. We have tried that for the last three years and it has not worked. What we really need is a reform of the jurisdiction of the two areas to clarify it and to enable each council to deal with the problems that are becoming very important in this area, problems such as waste management, planning and zoning where there is joint jurisdiction, and transportation, which is becoming crucial in this area.

It is the division of boundaries that is the real problem, and I think that is the next step the Minister of Municipal Affairs should be looking at. He should not consider this the be-all and end-all of reforming Metropolitan government, because we know there are a lot of problems not being dealt with in the Metro region, and that is the way he should be going. I hope that would happen next year, that there will be perhaps a commission to study the division of powers with representatives from both levels of government: that is, the Metro region and the local area municipalities.

In the meantime, I still think the minister should be looking at a provincial boundaries commission right after 1988 and get it in place for any boundary changes after 1988. It should be available to all municipalities across the province and it should follow the patterns of the federal and provincial boundary commissions, with full public input and opportunity for objections. I am afraid this particular amendment is not going to



solve either of those problems, the lack of an independent commission and lack of co-ordination between the two levels of government.

Because we have not had time to set up a proper electoral boundary commission, as I pointed out earlier, the responsibility is on us in this House today to make sure that there are strict enough guidelines and criteria to guide the minister and the cabinet when they have to approve the 1988 boundary changes. This is why I think it is crucial to adopt some amendments today that make those guidelines much stricter, and not just leave it entirely up to the top-heavy majority over there to decide what is good for Metropolitan Toronto. Today we can decide what is good for it according to the criteria that we did debate in those amendments. I am sorry the House has rejected them and left it to the steamroller majority over there to make all the decisions as to what is good for Metropolitan Toronto in 1988.

I congratulate the member for Markham on bringing forward his plea for an independent boundary commission, but I am afraid I cannot support his amendment.

**Mr. Neumann:** I would like to make a few comments. First, I would like to point out that the minister who represents the sensitive majority in this House will be taking into consideration a balanced representation by population, geographic factors, population trends and the preservation of neighbourhoods and communities. Indeed, these criteria were laid out in his letter to the municipalities and they have been aware of these criteria for some time.

The procedure for establishing boundaries for the 1988 municipal election is clear. The implementation is well under way and should not be a problem, as we have indicated. With respect to the ongoing process, the recommendation of establishing an independent boundaries commission is an interesting one. It purports to place the procedure on a parallel with the federal and provincial one and thereby develop some objectivity to the process.

I would point out that in Ontario the Ontario Electoral Boundaries Commission, which reviews electoral boundaries, not only asks members of the Legislature for input at the start of the process, as the member for Beaches-Woodbine has pointed out, but when it has done its review, presents its recommendations to this Legislature, and the elected members of the Legislature make the decision. The most recent decision was made as an amendment in 1986 to the Representation

Act. So the members of the Legislature are involved in setting the boundaries for elections in this province.

This is no different from the municipal level at the present time, except that a citizen can appeal the municipal decision to the Ontario Municipal Board, an independent body. The municipal board has been handling this for years. It is established to handle it, unlike the comment that was made that it is not established to handle it. It has been doing it for years, and doing it well.

So at the municipal level there is more involvement of citizens than at the provincial level, because citizens can initiate a review of ward boundaries by petition. It does not have to start as an application from the municipality. There is nothing to prevent municipalities from establishing their own boundary commissions or their own advisory committees of citizens to provide input and recommendations to the council before the council makes a decision, in the same way this Legislature has chosen to do with the boundaries commission.

We believe in delegating responsibility to the municipalities. We believe that municipalities are quite capable of handling that responsibility. We respect the municipalities of this province, and it is on that basis that we feel confident in the process which is outlined in this bill and which is outlined for the entire province of Ontario through the Ontario Municipal Board.

**Mr. Cousens:** It is obvious that the amendment is not going to carry, and I accept that that is the decision of the government. May I just then ask this question?

I still believe there is a great deal of support by the electorate at large for an independent Metropolitan Toronto election boundaries commission. I am sorry it cannot happen. I also accept the reality of the time frame in which we are now operating for the 1988 elections. I think there will be an opportunity, if it is possible, to bring through a review following this year's municipal elections to bring that into effect. I think it has implications beyond Metropolitan Toronto and across Ontario.

I think politicians would be relieved to have some sense of removing themselves from those decisions of selecting their own boundaries. I personally, as a provincial politician, thought that our election commission that went through our boundaries did an excellent job.

I think it cleans up the process. It removes the accusations, whether true or not, that there is a chance someone could be gerrymandering. I do not like to see this whole business. Politicians



have a bad enough reputation as it is, but when we are involved in choosing our own boundaries—some councils may not have independent groups helping them decide that—an independent election commission can help with that process. That is the kind of guidance that can come down from the province to help make it a better system.

1730

I have one question I would like to ask of the parliamentary assistant. It is a practical situation that can exist between the city of Toronto and the Metro government on planning. Suppose a problem develops between the two levels of government, and I think you are going to see a large number of problems evolve over the next very short period of time. Suppose the city of Toronto wants a certain kind of development on the waterfront within its general area, makes presentations for it and the Metro government disagrees with it and votes it down. We then reach the traditional impasse of the two levels of government in a form of disagreement. How are those disagreements going to be worked out between the two levels of government when the members of the Metro government, except for the mayors, are not members of the local government?

**Mr. Neumann:** While I do not believe the question is pertinent to the amendment which is before the committee, I will answer it briefly because I realize it is probably going to be asked later if I do not deal with it now. We have every confidence that municipalities in Metropolitan Toronto are quite capable of adjusting to the new system that is proposed in this bill. Lines of communication are established through the mayors and will be established, I am sure, at the staff level and among the elected members in the various wards. We have confidence they will do their best to make sure this system does work and does work well.

**Mr. Cousens:** I believe part of the amendment is asking for the joint seat option. The first part of it includes the joint seats, so the Metro councillor is also a local councillor. That is why I believe that if our amendment were to carry with the intention that local councillors are also Metro councillors, there will be a better opportunity for dialogue and working out the issues among themselves. That is why I asked the question of the parliamentary assistant.

That is really the area in which we face very serious questions for the future of Metropolitan Toronto government. It works when people want to make it work. Regional government has worked in some municipalities and it has not

worked as well in others. I happen to believe that regional government in York region has worked extremely well. I sense that it worked well in Mississauga, but I know that in Hamilton-Wentworth there have been some other concerns that have come up.

It starts with the people. It starts with the will of those who want to make it go. I want to see it work and I know our party wants to see it work. I think the people of Metro Toronto will be the most chagrined people in the province if it turns out that the Metro government does not work as well as it has in the past. It should. I felt strongly that the amendment would begin to allow that working together between the two levels of government.

That is going to be the no man's land. That is the zone where I think problems can be serious in the future of the Metro government. I think we are going to have to monitor it. This government stands back and says, "Now that we have done it, we can just forget about it for ever." I think we will want to continue to see how it works and give support to those two levels of government once they are in operation.

Maybe one of the things that will have to happen, and I will just introduce this point now, is that in future legislation there should be a far greater understanding of super-Metro, the area that includes Durham, York and Peel. There has to be some better linking between the province and the Metro government on concerns that go beyond what may now be the domain of the Metro government.

I am thinking of transportation as a real need that exists outside of the Metro government. There is going to have to be far more involvement by the province in trying to work out these issues. I think there is going to have to be more involvement by the province to handle the garbage question and the disposal of garbage. We are seeing now where Metro Toronto just cannot handle the disposal of all the garbage it gets. We do not have a good recycling program in the province and the fact is that the landfill sites are becoming filled. Pretty soon I think the province is going to have to become far more involved in helping Metro Toronto solve that problem, along with the municipalities in Ontario.

Therefore, they should not feel they have done their work by bringing out this bill. There is going to have to be far more interaction between ourselves as provincial legislators with Metro and the local governments. Maybe the parliamentary assistant could give some commitment

that this kind of thing is going to be happening in the future. It would certainly lead the people of Metro Toronto to believe they are not totally forgotten at Queen's Park.

**Mr. Chairman:** Mr. Cousens, I presume "Metropolitan" is to be inserted in front of "Toronto?"

**Mr. Cousens:** Yes.

**Mr. Chairman:** Thank you. Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 3 agreed to.

Sections 4 to 9, inclusive, agreed to.

Section 10:

**Mr. Chairman:** Mr. Cousens moves that subsection 10(2) of the bill be amended by inserting "including an executive committee," immediately after "committees" in the second line.

**Mr. Cousens:** I will be brief on it because we want to get to the other bill. The people from Etobicoke, the representations, really indicate the need for a continuing role for the controlling function for those municipalities that want to have it. What this does is give them the option for that. It is in recognition of the kind of input that was coming forward to the committee last week. Right now, if you want to continue to have an executive committee you cannot. This would give the option to those municipalities that want to have it.

1740

**Ms. Bryden:** The section is very general and does allow the area municipalities to appoint any standing or other committees, so that I do not think we need to specifically mention executive committees.

In the past, in some municipalities, executive committees have really taken the place of boards of control or been committees to which very important municipal functions have been assigned, such as the signing of contracts during the summer vacation when councils do not meet regularly, the issuing of building permits in special cases and things of that sort. I think those sorts of powers should be defined by the local council for any committee it sets up but that we should not necessarily say we need one particular kind of committee that may fulfil any of the functions of council.

It seems to me the more you delegate to special-purpose bodies or to subcommittees, the more danger there is that decisions will be taken out of the council chamber and made, not necessarily behind closed doors, but at meetings that are less prominent than the regular meetings of the municipality.

The other thing is that I would hope that in exercising this function of setting up committees, the councils would work towards having members of committees, elected members, because appointed members who are not members of council are not really answerable to anybody after they are appointed. In some cases, they are appointed for very long terms, sometimes at least for the three years of the municipal council that will be elected in 1988.

I would like to encourage the minister to encourage councils to produce committees that are answerable, and that should be the objective, rather than the kind of committee. That is why I do not support the amendment but I do support the principle of as many elected representatives on committees, standing or otherwise, as possible and working towards full accountability.

**Mr. Chairman:** Do other members wish to comment? The parliamentary assistant.

**Mr. Neumann:** Just to say that I believe the amendment is not necessary. The present clause clarifies the situation quite well.

**Mr. Chairman:** Other comments? If not, are we ready to proceed with the vote? Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 10 agreed to.

Sections 11 to 14, inclusive, agreed to.

Section 15:

**Mr. Chairman:** Mrs. Marland moves that subsection 15(2) of the bill be amended by striking out "1988" in the second line and inserting in lieu thereof "1991."

**Mrs. Marland:** There has been a lot of discussion, as I know the committee is aware from the four days spent on this bill last week. One of the aspects that I think came out very clearly was that, in fairness to the electorate, the complexity of these changes in what will now be quite a short time frame is of concern to us. We recognize that those representatives of the municipalities who were fortunate enough to appear before us said that they had no problem



with the implementation of the bill. We feel that the people who will be going out to vote as a result of this legislation will find it very complex, especially when it will be accompanied by new boundaries and especially when it will interrelate with Bill 76, which affects the school boards, their elections and their boundaries.

Because of the complexity of it, we feel that in fairness, not to the incumbent members of council or the members of staff at the administration level of the municipalities who have to implement the intent and direction of this bill but purely to those people who elect the people to represent their interests, it makes far more sense to have the bill come into effect at the next municipal election. By that time, the boundary question of all the wards, be they local municipal wards or the Metro wards, will have been very clearly dealt with. If there are appeals to the Ontario Municipal Board, those will have had an opportunity for due process.

While we recognize the advantages of the bill, and obviously we are supporting the bill in totality, we do not feel that at this point in February, when it is probably going to be proclaimed in March—in fact, it has been indicated already by an amendment that we made in committee. Originally, the bill was going to have a clause which allowed 60 days. Now we have amended that 60 days back to 30, so already there is recognition that there is a shortage of time, quite frankly, for this bill to be properly implemented for the November 14 elections in 1988.

Therefore, it seems quite logical to have the amendment I have placed, giving the people who are responsible for electing the people of their choice to represent their best interests at every level, whether it is the municipal level or the Metropolitan Toronto council level, the opportunity to fully understand where their new boundaries are and to have input into the establishment of those new boundaries. The whole process will end up being more thoroughly understood by those people who would be party to it. We feel it is in the best interests of the electorate to have this amendment which is before the House.

**Ms. Bryden:** While I agree that the timetable on this bill has been very condensed because of the long time taken by the government in bringing it in and that it has therefore been very difficult to work out the new boundary proposals in time to get them in effect for the 1988 election, I think the bill proposes a reform of Metropolitan council which has been sought for quite a long time to provide more accountability by the

elected members and to provide a clear-cut focus on the different issues. I think we should reject the amendment but tell the minister that he must get his approvals in within a very reasonable time limit because there is still that unspecified time, after the 30 days expire, that the minister and the cabinet can take in making up their minds.

I think it would be an abdication of their responsibility to get the municipality of Metropolitan Toronto ready for the 1988 elections if they did not get the approved boundaries settled within a very short time. I regret, as the member said, that there is no appeal from it, but we hope that the next time around there will be a suitable boundaries election commission.

The responsibility is now on the minister to see that this election gets into effect or that the provisions for this election get ready in time for the voters to be fully informed as to what is happening. I urge the government to exercise the responsibility that is placed on it under this act but to exercise it in a way that will see that the boundaries that come out are not ones that can be criticized as being gerrymandered.

1750

**Mr. Cousens:** This would not be necessary at all if, five or six months after the report on Metropolitan Toronto was received in November 1986, the minister had brought forward what is now Bill 29 so that there would have been some opportunity for the people of Metropolitan Toronto to consider it. He would have added another five months to the cycle to give people that chance that they do not have now.

If it works, it is going to be a miracle and it is going to be to the credit of the efficiency of the local clerks and the people of Metropolitan Toronto, who have really gone overboard to help make this government's legislation work. It is not because it is timely. It is timely because it is important, but it is more important that it be right. That is why this amendment makes an awful lot of sense.

I just wish that in the future there could be a lesson learned from this experiment in government; that is, that the government will come forward with a greater length of time for the municipalities to consider all the ramifications, all the data and all the background and allow for public input so that there are no surprises such as this. That is why this bill is going to create problems.

**Mr. Chairman:** All those in favour of Mrs. Marland's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

**Mr. Chairman:** Mrs. Marland moves that subsection 15(3) of the bill be amended by striking out "1988" in the second line and inserting in lieu thereof "1991."

**Mrs. Marland:** The preceding argument that I have placed before the House in support of my previous amendment stands for this amendment also.

**Mr. Chairman:** All those in favour of Mrs. Marland's amendment will please say "aye."

All those in opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

Section 15 agreed to.

Section 16 agreed to.

Bill ordered to be reported.

On motion by Hon. Mr. Scott, the committee of the whole House reported one bill without amendment.

#### MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Eakins moved third reading of Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act.

**Hon. Mr. Eakins:** I am pleased today to bring back to the Legislature for third reading a bill to reform the government of Metropolitan Toronto. This legislation is very important and I believe long overdue. The issues faced by Metro council are too important, the budget of the ministers is too big to be dealt with by part-time councillors and a chairman who may never have to face the electorate.

Metro council deals with matters that affect all of Metro's more than two million people—transportation, affordable housing, social services, the police, waste disposal—and to do that, Metro council must be able to set aside parochial considerations and adopt a broad perspective.

As members know, this legislation addresses these problems by creating a Metro council composed of 28 directly elected, full-time councillors, one of whom will be elected chairman of the council. The mayors of the six Metro municipalities will continue to sit on Metro council to maintain the important linkage between Metro council and the local councils.

I am convinced that the reforms before us today will make Metro's government more accountable to voters, and that it will establish a better framework for local government decision-

making across Metro Toronto. I am extremely pleased that today this government is in a position to give Metro voters a system of government they can understand and Metro councillors they can hold accountable on election day.

**Mr. Cousens:** I think Metro Toronto will make it work and, to the credit of the people of Metro Toronto, the clerks and the politicians who believe in democracy, they will work extra hard to make sure this legislation happens to serve the people of Metropolitan Toronto.

I worry at the danger of the creation of a new level of government, which is the seventh-largest government in Canada, that of the Metro government. I am worried that there could well be a dangerous area between that level of government and the local governments, who might fail to work out their problems together. I think we will continue to monitor that and hope there is not a war zone that is created between Metro government and the local governments.

When the minister just made his remarks, he talked about the importance of housing and other issues. May I suggest that the province cannot abdicate its responsibility in these areas and say it is a Metro problem or it is a local problem. We have to get involved and solve some of these problems with those levels of government. We, as a province, have provincial lands that could be made available to help solve some of the housing problems. Let us do something about that. Let us start releasing some of those lands and let us start building some low-rental housing.

We have major problems in Metropolitan Toronto right now. They cannot be solved by Metro politicians alone. They cannot be solved by local politicians. We, in this province, at the provincial House, have a responsibility to be there as well, to work with them, to help them and make sure the funding is there to make sure this city, this great Metropolitan area, continues to prosper. The transportation services cannot be run by them alone.

We have made a move to open up Metro government. Let us make some more moves. Let us start putting some money where it counts. Let us start building houses. Let us start building affordable accommodation. Let us solve some of the problems in this city. We are not doing that, but we can do it if there is a will. This government has made promises galore but has not fulfilled them: 102,000 affordable rental units by the year 1988 and where are they? I know now that you cannot back off from the problems of Metro Toronto. You have made this



problems of Metro Toronto. You have made this move. Let us see more good moves to help that great city continue to grow.

**The Acting Chairman (Miss Roberts):** Does any member wish to participate in the debate? If not, does the minister have any comments to close the debate?

**Hon. Mr. Eakins:** I simply want to thank all those who contributed to the debate, especially

our committee members, who spent long hours debating and listening to the many people who came before the committee. I think it is a very important bill, and I am sure the future is going to show that this has been a great move in the building of a great future for Metropolitan Toronto.

Motion agreed to.

The House adjourned at 6 p.m.

ERRATUM

No.	Page	Column	Line	Should read:
32	1650	1	54	Before the previous speaker leaves the chamber, I want to say that I was very moved by his address. I

## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
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 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
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 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
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 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
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- Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
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 McClelland, Carman (Brampton North L)  
 McGuigan, James F. (Essex-Kent L)  
 McGuinty, Dalton J. (Ottawa South L)  
 McLean, Allan K. (Simcoe East PC)  
**McLeod, Hon. Lyn**, Minister of Colleges and Universities (Fort William L)  
 Miclash, Frank (Kenora L)  
 Miller, Gordon I. (Norfolk L)  
 Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)



Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)  
**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)  
 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
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 O'Neill, Yvonne (Ottawa-Rideau L)  
 Owen, Bruce (Simcoe Centre L)  
**Patten, Hon. Richard**, Minister of Government  
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**Peterson, Hon. David R.**, Premier and Presi-  
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 Rae, Bob (York South NDP)  
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 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Reycraft, Douglas R. (Middlesex L)  
**Riddell, Hon. Jack**, Minister of Agriculture and  
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 Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)  
 Runciman, Robert W. (Leeds-Grenville PC)  
 Ruprecht, Tony (Parkdale L)  
**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)  
 Smith, David W. (Lambton L)  
**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)  
 Sola, John (Mississauga East L)  
**Sorbara, Hon. Gregory S.**, Minister of Labour  
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 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
 Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)  
**Sweeney, Hon. John**, Minister of Community  
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 Tatham, Charlie (Oxford L)  
 Velshi, Murad (Don Mills L)  
 Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)  
**Ward, Hon. Christopher C.**, Minister of  
 Education (Wentworth North L)  
 Wildman, Bud (Algoma NDP)  
**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)  
 Wiseman, Douglas J. (Lanark-Renfrew PC)  
**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)  
**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)  
 Vacancy: London North

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 Kerrio, Hon. Vincent G., Minister of Natural  
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 O'Neil, Hon. Hugh P., Minister of Tourism and  
 Recreation  
 Sweeney, Hon. John, Minister of Community  
 and Social Services  
 Elston, Hon. Murray J., Chairman of the  
 Management Board of Cabinet  
 Wrye, Hon. William, Minister of Consumer and  
 Commercial Relations  
 Grandmaître, Hon. Bernard C., Minister of  
 Revenue  
 Curling, Hon. Alvin, Minister of Skills Develop-  
 ment  
 Fulton, Hon. Ed, Minister of Transportation  
 Kwinter, Hon. Monte, Minister of Industry,  
 Trade and Technology  
 Oddie Munro, Hon. Lily, Minister of Culture  
 and Communications  
 Sorbara, Hon. Gregory S., Minister of Labour

Caplan, Hon. Elinor, Minister of Health  
 Fontaine, Hon. René, Minister of Northern Development  
 Ramsay, Hon. David, Minister of Correctional Services  
 Smith, Hon. E. Joan, Solicitor General  
 Ward, Hon. Christopher C., Minister of Education  
 Hošek, Hon. Chaviva, Minister of Housing  
 McLeod, Hon. Lyn, Minister of Colleges and Universities  
 Patten, Hon. Richard, Minister of Government Services  
 Phillips, Hon. Gerry, Minister of Citizenship  
 Wong, Hon. Robert C., Minister of Energy  
 Mancini, Hon. Remo, Minister without Portfolio  
 Wilson, Hon. Mavis, Minister without Portfolio

#### PARLIAMENTARY ASSISTANTS

Bossy, Maurice L.: assistant to the Minister of Housing (Chatham-Kent L)  
 Campbell, Sterling: assistant to the Minister of Mines (Sudbury L)  
 Chiarelli, Robert: assistant to the Chairman of the Management Board of Cabinet (Ottawa West L)  
 Collins, Shirley (Ms.): assistant to the Minister of Labour (Wentworth East L)  
 Cordiano, Joseph: assistant to the Minister of Intergovernmental Affairs (Lawrence L)  
 Ferraro, Rick E.: assistant to the Minister of Industry, Trade and Technology (Guelph L)  
 Haggerty, Ray: assistant to the Minister of Consumer and Commercial Relations (Niagara South L)  
 Hart, Christine E. (Ms.): assistant to the Minister of the Environment (York East L)  
 Henderson, D. James: assistant to the Minister of Colleges and Universities (Etobicoke-Humber L)  
 Kanter, Ron: assistant to the Solicitor General (St. Andrew-St. Patrick L)  
 Keyes, Kenneth A.: assistant to the Minister of Health (Kingston and The Islands L)  
 Kozyra, Taras B.: assistant to the Minister of Northern Development (Port Arthur L)  
 Lupusella, Tony: assistant to the Minister of Transportation (Dovercourt L)  
 McGuigan, James F.: assistant to the Minister of Natural Resources (Essex-Kent L)  
 Miller, Gordon I.: assistant to the Minister of Agriculture and Food (Norfolk L)  
 Morin, Gilles E.: assistant to the Minister of Community and Social Services (Carleton East L)  
 Neumann, David E.: assistant to the Minister of Municipal Affairs (Brantford L)  
 Nixon, J. Bradford: assistant to the Minister of Financial Institutions (York Mills L)  
 Offer, Steven: assistant to the Attorney General (Mississauga North L)  
 O'Neill, Yvonne (Mrs.): assistant to the Minister of Education (Ottawa-Rideau L)  
 Pelissero, Harry E.: assistant to the Minister of Tourism and Recreation (Lincoln L)  
 Polsinelli, Claudio: assistant to the Minister of Treasury and Economics (Yorkview L)  
 Ruprecht, Tony: assistant to the Minister of Citizenship (Parkdale L)

#### STANDING COMMITTEES

Administration of justice: chairman, Mr. Callahan; vice-chairman, Ms. Hart; members, Messrs. Chiarelli, Cureatz, Farnan, Hampton, Kanter, Keyes, Ms. Poole, Messrs. Sola and Sterling; clerk, Lynn Mellor.

Finance and economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. Ferraro; members, Messrs. Haggerty, Kozyra, Mackenzie, McCague, Morin-Strom, Neumann, J. B. Nixon, Pelissero and Villeneuve; clerk, Franco Carrozza.

General government: chairman, Mrs. Stoner; vice-chairman, Mr. Mahoney; members, Mr. Black, Ms. Bryden, Messrs. Charlton, Daigeler, Mrs. Marland, Messrs. Matrondola, McLean, Owen and M. C. Ray; clerk, Deborah Deller.

Government agencies: chairman, Mr. McLean; vice-chairman, Mr. Jackson; members, Messrs. Black, Breaugh, Dietsch, Furlong, Lipsett, Miss Martel, Messrs. Runciman, South and Velshi; clerk, Douglas Arnott.

Legislative Assembly: chairman, Mr. Epp; vice-chairman, Mr. Morin; members, Messrs. Breaugh, Cordiano, Faubert, J. M. Johnson, McClelland, Polsinelli, Sterling, Mrs. Sullivan and Mr. Swart; clerk, Smirle Forsyth.

Ombudsman: chairman, Miss Nicholas; vice-chairman, Mr. Elliot; members, Messrs. Bossy, Carrothers, Charlton, Elliot, Henderson, Lupusella, MacDonald, McLean, Miss Nicholas, Messrs. Philip and Pollock; clerk, Todd Decker.

Public accounts: chairman, Mr. Philip; vice-chairman, Mr. Pouliot; members, Messrs. Balingier, Carrothers, Dietsch, Mrs. Fawcett, Miss Martel, Messrs. Offer, Pope, Runciman and Smith; clerk, Douglas Arnott.

Regulations and private bills: chairman, Mr. Fleet; vice-chairman, Mr. Beer; members, Mr. Cleary, Mrs. Fawcett, Messrs. McCague,



Pollock, Pouliot, Ruprecht, Smith, Sola and Swart; clerk, Tannis Manikel.

Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Wildman; members, Mr. Brown, Ms. Collins, Mrs. Grier, Mr. Leone, Mrs. Marland, Messrs. McGuigan, Miclash, Miller and Wiseman; clerk, Todd Decker.

Social development: chairman, Mr. Adams; vice-chairman, Mrs. LeBourdais; members, Messrs. Allen, Campbell, Cousens, Jackson, R. F. Johnston, McClelland, McGuinty, Mrs. O'Neill and Mr. Tatham; clerk, Franco Carrozza.

### SELECT COMMITTEE

Constitutional reform: chairman, Mr. Beer; vice-chairman, Miss Roberts; members, Messrs. Allen, Breaugh, Cordiano, Elliot, Eves, Mrs. Fawcett, Messrs. Harris, Morin and Offer; clerk, Deborah Deller.

\*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 37

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**

Tuesday, February 9, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, February 9, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### PERINATAL CARE

**Mr. Morin-Strom:** Mr. Speaker, when the Minister of Health (Mrs. Caplan) states categorically that no one is more than an hour and a half away from quality health care here in Ontario, she does not know what she is talking about. She is certainly not talking about northern Ontario. When it comes to neonatal intensive care, the situation is now critical.

Doctors caring for Chantal Gagné in Timmins tried to find a place in hospitals across Ontario and just could not do it. Finally, Chantal was flown to Sault Ste. Marie and admitted to Sault Ste. Marie General Hospital an hour before her premature baby was born. Our most advanced hospitals simply were not available, and even in the Sault, doctors had to bend the rules in order to admit Mrs. Gagné into a severely overcrowded neonatal unit.

The Sault's neonatal unit, along with nine others in the province designated for caring for critically ill infants and their mothers, has been battling shortages of funding and especially shortages of critical-care nurses.

The Minister of Health knows that Ontario is short at least 1,100 nurses, with northern Ontario particularly hard hit. Nurses have been leaving the profession and leaving the province. Meanwhile, the government has avoided the issue, awaiting disaster.

Surely it is time for the minister to come up with better funding and better rewards for nurses, and it is time to ensure that a standard of quality health care is accessible to mothers and infants right across this province.

### SCHOOL ACCOMMODATION

**Mrs. Marland:** I am standing today in this Legislature to speak on behalf of the thousands of parents in the region of Peel who have school-age children. Their opportunity for education in acceptable accommodation is not being met.

Last week the Minister of Education (Mr. Ward) met with Chairman Margaret McKee of

the Peel Board of Education and other representatives of the board, and Chairman Bob Hall and his trustees and staff of the Dufferin-Peel Roman Catholic Separate School Board. This meeting was requested by me in June 1987, seven months ago, because the solution for funding in this high-growth area has not been found. After waiting seven months for this meeting at the political level, I found the meeting to be a complete waste of time.

The Dufferin-Peel board has 23,000 of its 53,000 students in portables. Notre Dame Secondary School has 27 portables, and the students line up for the washrooms after they walk through the snow to the main building. This school was built for 500 students and it now has 1,172. They have five lunch periods in order to fit into the cafeteria, and the first lunch period is at 8:30 in the morning. Other classes are using the stage area in the auditorium. They are using the library for classrooms. The students have never been in proper classrooms. Many of the students graduating this year will have never been in anything but a portable.

This situation is intolerable. It is unacceptable. We need the opportunity for equality in accommodation in the region of Peel.

### ABORTION

**Mr. Dietsch:** In the wake of the Supreme Court of Canada's judgement, rendered January 28, striking down section 251 of the Criminal Code of Canada, we as members of this assembly and legislative assemblies across this country are obviously faced with great challenges. I, with many others in this House, hold strongly to the view that life is precious and, indeed, sacred. Recognizing the complexities involved, I encourage our federal colleagues to respond immediately, to bring forward legislation to provide protection for the unborn.

I do not ask my colleagues in this House to put aside their convictions or compromise their integrity. Many, both inside and outside this House, have deeply held feelings and beliefs on this issue. It is imperative that all parties constructively address the needs of those in our society who require assistance. I believe that we can successfully meet the challenge of better

educating young people in the area of human sexuality and that we can provide better support mechanisms in our community for those in need of counselling. A better-educated society in this regard would serve us all well.

The initiatives put forward to provide holistic service by the introduction of women's health centres are a step in the right direction. We need to emphasize the alternatives to abortion now more than ever. I trust that we can and will work together in this House in a spirit of co-operation to resolve this challenge.

#### AUTOMOBILE INSURANCE

**Mr. Swart:** No one should be fooled that the Liberal government of this province will eliminate high auto insurance rates for young people. Although we have had all kinds of government promises to do that, and age classification will be excluded by the bill, the government simply proposes to replace age classification with a "years of driving experience" classification.

Young drivers who have been licensed for fewer than seven years, or even up to 14 years, will pay the same kind of unreasonable, excessive rates they are now paying. The only difference is that the rates of young men and women will be equalized, with young females having huge increases in picking up the savings to the young males.

What a travesty of justice, particularly to young women, when the Liberal government promised to apply high rates only for a bad driving record. Of course, it is all political. The government does not want to spread the \$300 million that it will lose from the young drivers as additional premiums over the great numbers of good adult drivers.

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Let me say that the whole idea that some group or groups have to pick up the 10 per cent shortfall that will result from putting young people on the same basis as everyone else is stupid. Overwhelming evidence to the all-party auto insurance committee clearly demonstrated a saving to a public system not only would absorb that 10 per cent shortfall but also would leave another 10 per cent to reduce rates to everybody.

Let there be no doubt that it is this Liberal government's decision and it alone that is going to shift unreasonable rates from one group of innocent people to another. That is not our way of doing things in this party.

#### CONFLICT OF INTEREST

**Mr. Eves:** Later today, we will be dealing with Bill 1, An Act to provide for greater

Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. The short title of the bill, although easier to remember, is no more accurate. Therefore, I will be moving an amendment this afternoon to change section 20, the short title of the bill, from Members' Conflict of Interest Act to Members' Disclosure Act.

This bill is not conflict legislation. It does nothing to address the issue of conflict. It does not prohibit members of the cabinet from making personal contracts with the government; it does not require divestment; it in no way prevents a cabinet minister or his or her family from making personal gain at the expense of the Ontario taxpayer.

There is a member of cabinet whose family owns some office buildings that are currently leased by the government. Surely the Legislature cannot condone this. There is a member of cabinet whose family currently has very lucrative construction contracts with the government. Surely we cannot condone this. There is currently a cabinet minister with a \$20-million forest management agreement. Surely the Legislature cannot condone that. There is a member of cabinet whose family has substantial business dealings with this government. Surely we cannot condone any act that permits this.

This is not the toughest conflict legislation in Canada, as the Premier (Mr. Peterson) likes to say. It is merely a disclosure act which enshrines in legislation the ability of a cabinet minister to reap potential personal gain from the public purse.

#### FUTURES PROGRAM

**Mr. R. F. Johnston:** Yesterday, the third-quarter financial review came down on this government, and amazing as it may seem, the Ministry of Skills Development has already underspent its budget this year by \$27 million for the Futures program. The reason given in the document is that there has been a failure of young people to take up the program. It is true that there is a 50 per cent drop, as a matter of fact, and all members should know it.

It is a real disaster of a program, which is actually counting as neutral outcomes kids who have been incarcerated during the period that they are in the program. They are suggesting that the success story is a kid who leaves the program because it is not financially beneficial to stay in it, and takes a job above minimum wage when



the child is still illiterate and is not capable of being adaptable within our society afterwards.

We have a Minister of Skills Development (Mr. Curling) who is entirely incompetent. Perhaps it makes no difference that he is in the Caribbean this week rather than being here.

We have a program that is failing thousands of children in this province: native children—the government has only spent \$75,000 this year on children on northern reserves; francophone kids who are not making use of this program in the numbers we know they should be; and inner-city kids from around this province who are being left high and dry by a government that was supposedly committed to making them capable of operating in a sophisticated society such as we have today.

**Mr. Speaker:** The member for Stormont, Dundas and Glengarry for 15 seconds.

#### SUBSTITUTE FOR ROAD SALT

**Mr. Villeneuve:** Yesterday, at the Rural Ontario Municipal Association convention, the Minister of Transportation (Mr. Fulton) was asked on two occasions about the use of a corn-derived substance as a replacement for existing road salt. The minister was not even aware of what the questioners were talking about.

#### SUPPLEMENTARY ESTIMATES

**Hon. Mr. Elston:** I have a message from His Honour the Lieutenant Governor, signed by his own hand.

**Mr. Speaker:** The Lieutenant Governor transmits the supplementary estimates of certain additional sums required for the services of the province for the year ending March 31, 1988, and recommends them to the Legislative Assembly. Signed by His Honour Lincoln Alexander.

#### STATEMENTS BY THE MINISTRY

##### DRINKING AND DRIVING

**Hon. Mrs. Smith:** I want to bring the House up to date on my ministry's efforts to win the war against impaired driving.

As members know, the Premier (Mr. Peterson) promised during the election campaign to make the Reduce Impaired Driving Everywhere program a year-round, province-wide effort. Today, we have taken another significant step towards achieving that goal.

Letters have gone out to every municipal police force around Ontario, asking them to submit proposals for receiving special one-time RIDE funding. This funding program begins this

spring and offers one-time financial assistance to municipalities which want to establish or enhance RIDE enforcement activities. Municipalities will be able to apply for funding in either 1988 or 1989 to cover costs, such as staff overtime, equipment purchases and the promotion of enforcement activities. My ministry will devote \$2 million to this program over the next two years, and we hope to start dispensing this money by the end of April.

I should add that this is just part of my ministry's RIDE initiative. We will be purchasing new equipment and enhancing the capabilities of the staff at the Centre of Forensic Sciences to deal with RIDE-related issues, like breathalyzer training and evidence. We are well on our way to creating special six-officer RIDE teams from all 16 Ontario Provincial Police districts. These 96 officers will be dedicated solely to RIDE and will make the year-round, province-wide program envisioned by the Premier a reality. The annualized pricetag of these efforts will be approximately \$6 million, but it will be money well spent.

Anyone who has doubts need only look at the statistics the OPP recorded from RIDE checks and regular patrols during this winter's holiday season. Between November 15, 1987, and January 9, 1988, OPP officers checked 369,403 motorists and charged a total of 1,683 with alcohol-related driving offences. During the 1986-87 holiday season, OPP officers checked 357,167 drivers and charged 1,812 of them with alcohol-related driving offences.

I should add that fewer 12-hour licence suspensions were issued during this winter's Christmas-New Year period: 1,999 compared to 2,938 the previous year. The same statistical story is unfolding elsewhere. In Metro Toronto, for example, RIDE units checked 187,228 motorists during the recent season of Christmas, compared to 167,621 the previous year, and found 10 fewer impaired drivers: 28 compared to 38. Those statistics are a clear indication that programs like RIDE are having the desired effect on holiday-season revellers.

If we are checking more drivers and finding fewer offenders, it can only mean one thing: Programs like RIDE are convincing people it is just plain foolish to take a chance by drinking and driving. I am delighted that my ministry's new initiatives will allow us to hammer that point home year-round. Any step that reduces the tragic toll exacted by impaired driving is a step worth taking.



The people of Ontario have made it abundantly clear that they support our efforts to reduce drinking and driving. All over the province, community groups have devoted long hours to the struggle to change public attitudes. These groups have our gratitude and we hope these initiatives will encourage them to work even harder.

### COUNTY GOVERNMENT

**Hon. Mr. Eakins:** I would like to inform members of the House today about my review of county government in Ontario.

As members will be aware, an advisory committee was formed to study the current composition of county councils, their voting systems, a possible role for them in waste management and other services, and the relationships between them and the lower tier.

The committee was chaired by the member for Niagara South (Mr. Haggerty), then parliamentary assistant to the Minister of Municipal Affairs. The other members of that committee were Doris Brick, reeve of Ennismore township and 1987-88 president of the Association of Municipalities of Ontario; Al Bouwers, mayor of Osgoode township and a director of AMO; Ron Eddy, reeve of South Dumfries township, chief administrative officer of Middlesex county and director of AMO.

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The committee conducted consultations with different municipal associations, organizations and a wide cross-section of local and county municipalities. It completed its consultations and study late last year and submitted its report last November.

I would like to express my deep appreciation to the chairman and members of the committee for their valuable insights into a most complex area of local government. I released the report last week and copies have been sent to all municipalities within the county government system for their comments as the next stage in the consultation process.

The committee has pointed out some of the difficulties, for instance, in achieving balanced representation in counties where municipalities range in size from those with only a few hundred electors to those with as many as 30,000. The committee has also noted a wide range of perceptions among municipalities and their representatives as to the kind of reforms they would like to see.

In view of these findings by the committee, I feel it very desirable to enlarge this last phase of the consultation process to cover these issues.

I would like to inform members that I have asked a committee with experience in municipal issues to undertake this task. The group will be chaired by the member for Oxford (Mr. Tatham) and will include the member for Cornwall (Mr. Cleary), the member for Northumberland (Mrs. Fawcett), the member for Grey (Mr. Lipsett), the member for Prince Edward-Lennox (Mr. MacDonald), the member for Prescott and Russell (Mr. Poirier), the member for Windsor-Walkerville (Mr. M. C. Ray) and the member for Lambton (Mr. Smith).

Members of this committee will visit all parts of the province within the county government system to discuss the advisory committee's report directly with councils and interested individuals. They will also examine the issues connected with the smaller and separated municipalities as well as individual counties. I have asked this committee to suggest, on the basis of its direct discussions, a complete package of reforms covering all aspects of county government and responding to the advisory committee's findings and recommendations.

This approach will have several advantages. It combines the final phase of consultations on the advisory committee's recommendations with the study of the other areas recommended by that committee for separate review. It will deal with county government reform as a comprehensive package rather than piecemeal. It will benefit from direct contact with the communities affected by any proposed reform, without proceeding on the basis of centralized perceptions.

That, briefly, is our objective with all municipal reform, which I have made a personal priority, namely, to provide for fair and reasonably uniform representation for the interests and needs of communities of varying sizes and capacities and to establish the framework for strong and self-reliant institutions of local government, fully responsive to the needs of their electorates.

### RESPONSES

#### COUNTY GOVERNMENT

**Mr. Breagh:** I want to respond to the rather unusual announcement by the Minister of Municipal Affairs (Mr. Eakins) today. It is true that he had a group of people studying county government in Ontario and that they reported last November. Oddly enough, the report was not released until about two weeks ago, I think. It unveiled a number of perplexing problems with county government, a system that has worked for a long time, but which also kind of evolved on its



own and has inherent in it some rather vexing problems.

The response to those findings has been to establish another committee. Normally, of course, this would go to a royal commission, an outside task force, a consultant or something like that, but I guess things are backed up, because now the minister is announcing today an unusual phenomenon, one that I regard with some concern: that is, to strike a committee which is, and it is carefully worded in the statement, a committee of members of the Legislature. There is only one problem with this committee. This committee does not have anybody but government members on it. It will tour Ontario purporting to be a committee of the Legislative Assembly of Ontario, except that there will be no opposition members there. It is an interesting twist to it all.

I ask the minister to pause in implementing that committee. It is one thing to have a group going around from one of the three political parties saying, "We are here on behalf of the New Democratic Party and we want to find out what you think." That we are accustomed to. I believe the next step, where the minister says it will be a committee of the Legislature but only government members will be on it, has now been taken. Even with the pangs that happened last fall with the election results, they did not produce a one-party state in Ontario yet. The government is taking us that next step.

I am going to ask the minister to reconsider that structure. I believe that to be inappropriate. It is one thing if the minister wants to send around a group of Liberals saying to people, "We represent the Liberal Party." That is fair game, but he should not be sending around a group of members of the Legislature that does not adequately reflect the Legislature itself. In my view, that report should be referred to a legislative committee, which should then do its job. That would be a normal process for us to use. I want the minister to reconsider this new technique he has announced today. I believe it to be totally inappropriate.

#### DRINKING AND DRIVING

**Mr. Hampton:** I want to address, just for the moment, the announcement that has been made on the Reduce Impaired Driving Everywhere program today. I think it is very important to note that almost everyone in this House, if not everyone, supports the RIDE program. We are well informed as to the effectiveness of it, but I think it is certainly noteworthy to say that only

\$2 million is being devoted by this government here today to what is supposed to be year-round enhancement of RIDE.

In some people's minds, \$2 million may be worthy of a press release or worthy of capturing press attention, but it is hardly enough money to do the job for all of the municipal police forces we have across this province. In fact, it will not do the job at all. It will not even start to do the job. To pretend that \$2 million will do the job is to distort the facts out there.

I say good. The RIDE program is an excellent program. We agree with its effectiveness, but to say that it is going to be somehow greatly enhanced by the tune of \$2 million is a complete distortion of what is needed.

**Hon. Mr. Peterson:** How much is needed? How much do you want?

**Mr. B. Rae:** The Premier asks, "How much is needed?" Perhaps he should look at the commitment he made in the election campaign on August 24, 1987, when he announced a \$15-million program over the next two years. Today he is announcing a program that is worth about half that and so he asks how much is needed.

I will tell the Premier how much is needed. The amount that is needed is the amount he committed himself to providing in the election campaign. If it was good enough for the voters in the election campaign, it is good enough for the citizens of Ontario in 1988 when the time comes due to pay his bills. That is when it is due and that is the amount that is required.

He also announced in the election campaign that he was going to be introducing a measure with respect to liquor companies, asking them to set aside revenues for advertising. He has not announced anything with respect to that particular plan.

If he asks what it is we are asking him to do, all we are asking him to do is what he committed himself to doing when he wanted the votes of the people of Ontario. When he got their votes, he forgot about them. That has been his record on this issue and on every other issue he has confronted since September 10, 1987.

**Mr. Cureatz:** I would also like to respond to the statement of the Solicitor General (Mrs. Smith) this afternoon on the continuation of the RIDE program. I have nothing but the highest regard for the Solicitor General. I congratulate her on bringing forward this statement and, as she has done, congratulate all those offices and people that have been involved in the RIDE program across Ontario.

I can think of myself who, interestingly enough, participated in an interesting debate on free trade here over the Christmas holidays. That very night on my way back through Colborne to our then home, I say to the member for Northumberland (Mrs. Fawcett), I was stopped by the Ontario Provincial Police. Happily enough, I passed the test. It was a cold winter's night at about midnight. The officers were out there. They were freezing cold but they did a stalwart job, and we must congratulate all of those who participate in the program.

#### Interjection.

**Mr. Cureatz:** The interesting thing, though, I say to the member for Oshawa (Mr. Breagh), is that once again this government is doing the old trick of taking credit for a program that was brought forward by—who else?—a Conservative government. If the Conservatives cannot take credit, then at least the Liberal administration should give credit to all members in the assembly, who have been very supportive of the RIDE program, and not come out with a statement indicating we are beholden to it, that it was the one that was blessed with coming up with this idea in terms of drinking and driving.

1400

The interesting thing—and I give credit to the Leader of the Opposition (Mr. B. Rae) and I follow up on his remarks—is that the minister says right on page 1—and I say this to the Premier (Mr. Peterson), if he can focus his contact lenses over here—that it is a one-time funding.

We have the old trick again of ministers coming out with a wonderful statement in terms of what they are going to do. Do members know what is going to happen? After one year has gone by, all the local police forces in Ontario are going to have to go back to their own property taxpayers to get funding so that they can continue with the RIDE program, a program that should be continued through the Legislative Assembly and through the government of Ontario, as the Leader of the Opposition has indicated.

We would like the minister to come back again and in another few months come out with an announcement, let us say by next Christmas, indicating that the funding for the RIDE program will be a continuation to the police forces year after year and not a one-time shot where the local police forces are then going to have to come back year in and year out to their own taxpayers.

#### COUNTY GOVERNMENT

**Mr. McCague:** The statement from the Minister of Municipal Affairs would certainly

not have been characteristic of his thinking prior to his entrance into this Legislature, but as uncharacteristic as it is, I have to agree with my colleague from the New Democratic Party.

Interjections.

**Mr. Breagh:** Hold it. I may want to retract something here.

**Mr. McCague:** We agree from time to time.

**Mr. Speaker:** Order.

**Mr. McCague:** I think the Liberal Party has gone to a new low in saying in a statement that it has appointed a committee of the House and then naming—what is it?—eight Liberal members of this House. It says right in the statement “committee of...the House.” The minister was careful to avoid that part when he said it verbally.

This is no more than a little geography lesson for a few back-benchers who have no work at all. The minister knows without having his first study what the problems are out there. He has had the first study. Now he wants eight more people to go around and tell him again.

Why does he not start listening to the people on the Association of Municipalities of Ontario, the Rural Ontario Municipal Association, the Ontario Good Roads Association and all the municipal associations and get on with the job, instead of stalling until after the next election?

#### ORAL QUESTIONS

##### RETAIL STORE HOURS

**Mr. B. Rae:** I have a question of the Premier. I want to go back and talk about Sunday shopping again and just say I wonder if the Premier can explain again the battle of the headlines and the very different stories that we get, depending on when the Premier is speaking.

For example, today the headline is very clear. It says, “Won’t Give in to Sunday Shopping Foes, Peterson Says,” on the front page of the Toronto Star.

**Hon. R. F. Nixon:** Couldn’t you blow it up and put it on cardboard?

**Mr. B. Rae:** I would like it to be as big as possible because it contrasts so dramatically with the headline in the Toronto Sun of August 5, 1987, which again was just as the election campaign was starting: “Sunday Closing OK with Preem.” Again, it comes from the Queen’s Park bureau of the Toronto Sun.

Mr. Goldstein writes: “Premier David Peterson said yesterday—

Interjections.



**Mr. B. Rae:** Perhaps members would wait for it—"he has no plans to make major changes to Ontario's controversial Sunday closing law."

"Peterson said he believes Ontarians generally support the concept of a common pause day, as an all-party committee of the Legislature recently concluded."

That is what he said during the election campaign.

**Mr. Speaker:** Question?

**Mr. B. Rae:** I would like to ask the Premier, are there two people who are impersonating David Peterson? What is going on here? Why is there one position good enough for an election campaign and then a flip-flop as soon as the election is over when it comes to this issue?

**Hon. Mr. Peterson:** I regularly find people trying to impersonate me and I do not blame them for so trying, but let me say, Mr. Speaker, it is not easy to do, as you can imagine and as you personally know from experience. You would substantiate that. But I think we have gone through all this discussion on why the government took the position it did, and I think that eventually my friend will end up quite comfortable with it.

**Mr. B. Rae:** This is a matter of integrity. The Premier cannot do this on every issue. The Premier cannot get away with this. There has to be a question of accountability here.

He had precisely the same facts before him in August as he did in May when his members sat on that committee and voted in favour of the compromise that was agreed to in that committee in terms of a common pause day. He had exactly the same facts before him right throughout the election. If it was good enough for the people of Ontario during the election to say that he did not intend to change the law with respect to Sunday closing, if a common pause day was good enough as the message that he wanted to take to the people when he wanted their votes, why is it not good enough today in January and February 1988, when he has changed the position and has taken away the common pause day for the workers of Ontario?

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Peterson:** My friend is quite entitled to make his speeches, but I think we went through the discussions in cabinet and caucus and a variety of other places and came to the conclusion that the suggestions that were made in the select committee on retail store hours were not workable and just created more exceptions

and more difficulties. Then the cabinet took the position that it did on this matter, and I think it is a sensible conclusion to this matter.

**Mr. B. Rae:** If it was a difficult question and something upon which the Premier had a different opinion, why did he not express that opinion all throughout 1986, when the issue was before the Supreme Court of Canada, when the Supreme Court made its decision clear and said it was perfectly constitutional for Ontario to protect the common pause day and that it was perfectly proper, understandable and reasonable for the Legislature to want to protect that? In fact, Chief Justice Dickson said the reasons for doing that, for providing that protection, are self-evident.

The government's members on the committee said they supported a common pause day. The Premier said it was good enough for the election campaign. Why is it not good enough for the people in February 1988, when he has his majority? Why is it not good enough now for the people to have a common pause day if it was good enough to take to the people back in the election campaign?

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Peterson:** What my honourable friend does not understand and does not realize, based on the experience of Christmas and the reaction of certain retailers and the problems that were inherent, is that things have changed in that regard. We very seriously went through the report of the select committee and came to the conclusion that, frankly, it was unworkable, and then we were charged with the responsibility of making decisions on the basis of that.

I think that, based on what happens in other provinces where it works extremely well, my honourable friend's fears are misplaced in this regard. Just so often he makes these judgements, and I can understand his always wanting to go backwards rather than forwards in these matters. But with regard to the conclusion that was come to that allows municipalities to make the decision, mindful of the fact that municipalities make the decision six days a week now—mindful of all of that—I think we have come to a very sensible conclusion in dealing with this issue.

**Mr. B. Rae:** If the Premier thinks there is some sort of a correlation between Christmas and the election of a majority government, then—

**Mr. Speaker:** Order. New question to which minister?

#### USE OF PRESCRIPTION DRUGS

**Mr. B. Rae:** I have a question for the Minister of Health.



I have a letter to the minister dated January 18, 1988, signed by Dr. George Carruthers, who is professor of medicine and chairman of the division of clinical pharmacology at University Hospital in London. As the minister will know, Dr. Carruthers was for some time the chairman of the Drug Quality and Therapeutics Committee. The minister will know that this letter is Dr. Carruthers's letter of resignation from that committee.

He has resigned, he says: "...it is because we see the enormous and inappropriate waste of our tax dollars; it is because we despair of the folly of polypharmacy in the elderly that we raise these issues. That your ministry should ignore our entreaties to improve the current system we find disturbing and frankly incredible."

As the minister consults her file folder, I wonder if she might tell us, why would Dr. Carruthers have felt it necessary to resign as a protest against what he describes as an "absurd special authorization system which squanders millions of dollars annually, in large part for drugs which have little or no proven therapeutic activity"? Why would Dr. Carruthers have had to resign to make effective his protest?

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mrs. Caplan:** Let me respond to the Leader of the Opposition by saying that I have not had an opportunity to meet with Dr. Carruthers. I understand that the Deputy Minister of Health met with the Drug Quality and Therapeutics Committee to discuss our concern regarding the whole issue of drug utilization from a quality-of-care point of view, and I was sorry that I received that letter prior to having an opportunity to meet with Dr. Carruthers.

1410

**Mr. B. Rae:** The minister should know that on January 15, Dr. Carruthers met with the deputy minister as well as with a number of other members of this committee, and he says to the minister in his letter of January 18, which is now some weeks ago: "I shall not belabour the details of the meeting. In brief, we were advised that there was little likelihood of change in the current system." I would remind the minister that this is a system which cost the government \$489 million in 1986-87 in terms of her health care budget.

He lists six points that he says he has raised on a number of occasions and has received no satisfaction that the minister is going to take them seriously. They are all contained in the letter, but he describes two or three in particular that I want to raise with the minister: "The universal ridicule

of the Drug Benefit Formulary, which barely deserves the title 'formulary,' a list of medications which includes ineffective, toxic or excessively expensive drugs." Then he goes on to mention, and I will repeat it because it really is important, "the absurd special authorization system which squanders millions of dollars annually."

This doctor, who is chairman of the committee, is accusing the ministry of squandering millions of dollars. What is the minister's reply?

**Hon. Mrs. Caplan:** As I have stated before in this House, we are very concerned about the issues raised around quality of care, particularly for seniors. We released recently a utilization review of world literature and have said that this is in fact a very complex issue. Earlier, in response to a question from the member's colleague, I said I would be interested in the views of members of this House so that we could ensure the distribution of drugs for the purpose of quality. We are looking, at this very point in time, at all of the very complex issues that surround the Ontario drug benefit plan and the formulary, and I would appreciate the views of the member opposite.

**Mr. B. Rae:** My views are going to be the views of many who have come to the minister, and they are that there is a serious problem here and it is one that is being addressed directly by Dr. Carruthers. The problem is that he felt sufficiently strongly about it and got the message from the minister's own deputy that the government was not listening to what he was saying. He talks directly about the folly of polypharmacy in the elderly. When I spoke to the doctor today, he said, "All I am talking about is the overdrugging and the overuse of drugs by the elderly," many of them being what he describes as "ineffective, toxic or excessively expensive drugs."

He says it is a widespread practice that many physicians are prescribing drugs which have little or no effect, which do not do what the drug companies say they are going to do and which are of no benefit to the patient. If, as Rosemary Speirs said on the weekend, the government is so determined to do something, why would Dr. Carruthers have felt he had to resign because the government was not listening? Why would he have put himself in that position?

**Hon. Mrs. Caplan:** I think it is very important for us to understand that this is such a complex issue, regarding not only the dispensing, the distribution and also the quality of care that results from the drug program, that I do not think any one individual has all of the answers. The



deputy minister went and spoke to the DQTC to get its views as we look at this whole issue.

As I have said before, I would ask the members opposite. I believe this is going to be an issue that will require some public debate and I would suggest that the response from any one particular individual or any one group is an important part of the overall debate.

I am sorry I have not had an opportunity to meet with Dr. Carruthers and I hope I will have a chance to meet with him in the near future.

#### RETAIL STORE HOURS

**Mr. Brandt:** I want to return to the Premier on the question of the Sunday shopping issue.

I am sure the Premier is aware that the Coalition Against Open Sunday Shopping represents some 300,000 people. Sean O'Flynn, who is the secretary-treasurer of the Ontario Federation of Labour, represents some 800,000 workers in Ontario. The president of Idomo, who has been running ads in the newspaper, has represented now some hundreds of retail owners and thousands of workers in Ontario who are in the retail sector.

We have four leaders of the largest Christian churches; those denominations represent millions of Ontario citizens. We have the Association of Municipalities of Ontario, which voted against the Premier's position 70 to three. The Rural Ontario Municipal Association last night indicated it was in disagreement with his position.

In light of this tremendous amount of objection to the position he is taking on Sunday shopping, would the Premier indicate whether it is still his position that this matter should simply be shuffled off to the municipalities, which will result in wide-open Sunday shopping in Ontario? Is that still his position?

**Hon. Mr. Peterson:** I am mindful of those people the honourable member lists who disagree with what we have done. It is not a question of shuffling off the responsibility. It is a question of extending the present responsibility that municipalities have, which regulate store hours six days a week, as the honourable member says.

My honourable friend recites a list of people who disagree with it and he is quite right, but there are a number of people who do agree with what we are doing. Let me give an example. The member for Stormont, Dundas and Glengarry (Mr. Villeneuve) said the store hours should be loosened to meet local wishes. He said, "I think local municipalities should and must have a good deal of say in the matter because that is where the

action is." So we have a lot of very thoughtful, progressive people who agree with this government on this matter.

**Mr. Brandt:** I do not know how many petitions the Premier has received from that long list he has read out of people who are in support of his position, but I would like to point out to the Premier that I have received in my office some 8,000 petitions, headed up, "Now it's time to tell your MPP that you are against Sunday openings." I will not take them all out, but I think the Premier can look at the numbers I have here.

I have an entire box beside me with signatures of 8,000 people, in addition to the list that I have read, all of whom are opposed to the Premier's position. The Premier has taken a position which is simply not in concurrence with the mainstream of thinking in Ontario. Why will he not change his mind on this?

**Hon. Mr. Peterson:** I say to my honourable friend that, first, I can understand how good it must make him feel to get some mail these days, and I can understand his wanting to tell everybody about that. He has a view, being a member of the former government which sort of governed by polls and responses and moved the line of, shall we say, least resistance on all occasions. But this government has struck forward, and there are many people besides his colleague the member for Stormont, Dundas and Glengarry who agree with this government.

I can give another example. This is in the Windsor Star. It says: "Windsor-Riverside MPP David Cooke, a prominent member of the New Democratic Party says, 'I am not absolutely convinced myself that Sunday shopping is something that should be halted. An argument can be made that there would be an increase in part-time jobs, particularly for students.'"

Let me tell you something else, Mr. Speaker; you will be interested in this, because this is typical, and he revealed the secret of the NDP: "It was last debated by our party 12 years ago." That, my friends, is the problem with the New Democratic Party; it has not moved forward in 12 years and it will not in the next 12 years.

**Mr. Brandt:** Now the Premier has two, apparently. Let me just say with respect—

Interjections.

**Mr. Speaker:** Order. I would like to hear the final supplementary.

**Mr. Brandt:** It certainly is, Mr. Speaker.

I just want to say to the Premier that when you are in opposition you get mail from some very interesting places. In addition to the 8,000

petitions I have just indicated to the Premier that have come from the average citizen right across this great province, I have another 8,000 petitions which have come to my attention and were sent to my office from the city of London, where the Premier used to live. These 8,000 people have indicated they, too, are in opposition to his position. I would be happy to share their names individually with him, but I do not have them all recorded yet.

I want to tell the Premier there is an absolute avalanche of opposition to his position on this question. Will he do the right and proper thing and preserve the seventh day in this province, as it has been historically over the years, and give the people a rest from a full week of commercialism? Will he do that?

1420

**Hon. Mr. Peterson:** My friend is suggesting perhaps that this is somehow going to destroy the family unit. He believes that. Has it been destroyed in Point Edward in his own community, in his own constituency where it is wide open under a tourist exemption now? Has the family unit been destroyed in Point Edward?

I ask my friend how he can stand and articulate and suggest a policy that suggests these different points of view and indeed does not take into account some of the differences that exist. Right now, as he knows, some stores are closed Saturday, some Sunday. There is no evidence in Alberta, Calgary, Vancouver or Montreal that this is destroying the family unit. I do not think my friend can present that evidence here at all.

I think it takes into account the diversity of this province, the different nature, the different communities, be they Point Edward or Sarnia, Niagara-on-the-Lake or Sault Ste. Marie. Should they so desire, they can make their own decisions. He stands and wants to make the decision for everybody right across this province. I say, let us recognize the diversity of this province, let us recognize municipal autonomy, let us recognize that each municipality is different and let us have some respect for the municipal politicians to make these kinds of decisions.

**Mr. Speaker:** Order. New question, the member for Sarnia (Mr. Brandt).

**Mr. Brandt:** The Association of Municipalities of Ontario recognizes the diversification of this province and voted against the Premier's plan 70 to three.

**Mr. Speaker:** And the question is to which minister?

**Mr. Brandt:** I have another question.

**Mr. Speaker:** To which minister?

**Mr. Brandt:** To the Premier. I was pointing at him. I thought he knew that I was.

## ABORTION

**Mr. Brandt:** Another issue of importance to this province on which the people deserve to know where the Premier stands is the whole issue of abortion and the access with respect to abortion and the rights of the unborn.

We have heard from the Minister of Health (Mrs. Caplan) on this question. We have heard from the Minister of Community and Social Services (Mr. Sweeney). Four years ago the Premier was troubled by this question and indicated that he had some concern about the numbers of abortions. Three years ago he proposed that the Ontario health insurance plan pay for a woman who had to travel more than 300 kilometres for an abortion.

What is the Premier's position today on this question, since he failed to respond to my question with respect to the same issue yesterday? Where does he stand on the issue?

**Hon. Mr. Peterson:** I stand exactly with the Minister of Health and the Attorney General (Mr. Scott), who articulated the position of the government yesterday.

**Mr. Brandt:** Let me suggest to the Premier exactly what some of his back-benchers have been saying in regard to this issue, since he quoted one of my back-benchers relative to the issue of Sunday shopping. I think it is interesting, if I may quote the member for Etobicoke-Humber (Mr. Henderson), quoted in the *Globe and Mail* as saying: "Legislators cannot fully jettison the responsibility to guard whatever rights we assign to unborn children. The right to live and die should be included in that list of rights."

One notices that there is no mention of federal or provincial legislators. It is a shared responsibility, as I suggested to the Premier yesterday. That is the position of our party. Could the Premier please tell me whether he agrees that it is in fact a shared responsibility?

**Hon. Mr. Peterson:** I want to answer this seriously. The answer is I do not. I think the Attorney General answered that question very clearly yesterday. I do not want to be provocative because it is a serious issue. The member recognized that in his own letter to the Prime Minister. I understand that and I think he would



understand that and I cannot understand his change of position.

Let me just say this. I read the article of the honourable member and if the member talked to all the members of this House there would be different shades and complexions of opinion on this matter. This is one of the most profound moral questions of our day, not just today, but it has been for many years and will be, I believe, for many years into the future as well.

The Supreme Court of Canada has pronounced on the legality of a particular federal statute. That is under the Criminal Code and that is what we have to deal with today in as sensitive and thoughtful a way as we possibly can.

I recognize, and the member recognizes inside his own party, the different opinions on this and I say to you, Mr. Speaker, and through you to the honourable member, I respect the individual positions of individual members of this House who reflect, I think, the broad community, but I believe that the minister and the Attorney General are dealing with this in a sensitive and thoughtful way within the confines of the federal law.

The member admitted yesterday in his letter to the Prime Minister that the legislation with respect to the so-called rights of the foetus versus the rights of the mother are exclusively the prerogative of the federal Parliament. That is a matter the federal Minister of Justice will be dealing with, possibly on the advice of the attorneys general; I do not know, but I can tell the member that the responses from our ministers, who I believe have conducted this discussion in a most thoughtful and indeed, shall I say, nonpartisan way, will reflect as best they can the views of our community to help come to a successful resolution right across this country.

**Mr. Brandt:** By way of my final supplementary, for the clarification of the Premier and this House, let me point out to the Premier that in the context of the letter I wrote to the Prime Minister I made it abundantly clear that the responsibility of the federal government related to the Criminal Code and did not relate whatsoever to the question of health procedures in this province, which are the purview and the responsibility and the mandate of the Minister of Health. I made that very clear in the letter I wrote to the Minister of Health, from which the Premier is not quoting. He is quoting specifically out of one letter relating only to the Criminal Code.

I ask the Premier again, in light of the fact that many of his back-benchers, including the member for Chatham-Kent (Mr. Bossy), whose

speech at his own annual meeting of a week ago I could quote to the Premier, indicated that this is a shared responsibility and that this matter should be shared by the members of this Legislature in terms of determining the rights of the unborn in this province and that it is not exclusively and singularly the right of the federal government, will the Premier and his government put forth a nonpartisan position so that we can, in fact, take a position with respect to the protection of the unborn in this province? Will he do that?

**Hon. Mr. Peterson:** I think the honourable member is not characterizing this debate quite properly. There are some things that are under the exclusive jurisdiction of the federal government, as the member said in his own letter. I will read it for him: "The federal government is the only body that can enact legislation that would encode protection for the unborn child in the Criminal Code."

So we are dealing under the context of the Criminal Code; that one provision of the code was struck down, and now the federal government, on the advice of some of the Supreme Court justices, will be dealing with that very sensitive question, to which, I say to the member frankly, I do not know the answer, and I do not know whether my honourable friend does, about where the rights of the mother collide with the rights of the foetus and at what age period or how many weeks into the pregnancy. Those are questions the federal Minister of Justice will be dealing with.

There are other matters that are under our jurisdiction, there is no question about it: the question of access, the question of payment, the question of where procedures are performed. The minister has said to the member that she is consulting widely with the Ontario Hospital Association, members of the profession and the College of Physicians of Surgeons of Ontario on these questions, but our responsibility is to make sure that every single person in this province has access in a humane and sensitive way to legal medical care, and that is where this government sits on the matter.

#### AUTOMOBILE INSURANCE

**Mr. Swart:** I want to preface my question to the Premier by reminding him of a couple of other promises he made before the last election. Three days before that election, he said in Cambridge, "We have a very specific plan to lower insurance rates." He said to students at Brock University in St. Catharines a few months earlier, "I am all in favour of government-run

auto insurance if it can be proved that the system would be cheaper and not subsidized by government."

1430

Given that the evidence at the all-party hearings on insurance demonstrated conclusively that there will be further substantial rate increases in auto insurance this year in addition to the 4.5 per cent that the government already awarded the insurance companies and in spite of the rate review board—

**Mr. Speaker:** Question.

**Mr. Swart:** —and I proved that public plans in the west are far more efficient, with no subsidization, cheaper rates and a better product—

Interjections.

**Mr. Speaker:** Order.

**Mr. Swart:** Will the Premier now, even at this late date, abandon his silly plan for a rate review board and instead proceed to implement a public plan as he promised at St. Catharines?

**Hon. Mr. Peterson:** No.

**Mr. Swart:** I guess there are none so blind as those who will not see, even though they have made promises. Now we have increased rates when the Premier promised lower rates. Now he is reneging on a public auto plan when he promised one, on conditions that have now been substantiated.

Is it not true that all Bill 2 and the Premier's program do is pay his election debt to the insurance companies for their election support? Quite simply, he and his government have been—

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** I am not sure where my honourable friend was during the campaign, but I think this matter was fully litigated—

**Mr. Swart:** You deliberately misled this House, and you know it.

Interjections.

**Mr. Speaker:** Order. Will the member for Welland-Thorold withdraw those words?

Interjections.

**Mr. Speaker:** Will the member for Welland-Thorold withdraw—

**Mr. Swart:** They've got their hands so deep in the insurance companies' pockets, their knuckles are dragging on the ground.

**Mr. Speaker:** Order. Will the member for Welland-Thorold withdraw? I have no alternative but to ask Mr. Swart to remove himself from the chamber for the balance of the day.

Mr. Swart left the chamber.

Interjections.

**Mr. Speaker:** Order. There are other members who would like to ask questions.

#### POLYCHLORINATED BIPHENYLS

**Mrs. Marland:** My question is to the Minister of the Environment. David Edwards, who is the leading authority in his ministry on polychlorinated biphenyls, has said that PCBs have the same toxicity as Aspirin. Can the minister tell this House if that is now the ministry policy, and is he now taking PCBs for his headaches?

**Hon. Mr. Bradley:** I have not seen any particular comments of that kind and I think it would be unwise for me to comment on something that I have not seen. I know that a previous Minister of the Environment once said that the only life that would be affected by it would be if a rat ate the pavement or something. I certainly disagreed with that at that time and still do.

**Mr. B. Rae:** Why is there asphalt on your lips?

**Hon. Mr. Bradley:** I do not know what to say after the Leader of the Opposition intervened, but I will try to answer it.

**Mr. Speaker:** Would you try? All right. Thank you.

**Hon. Mr. Bradley:** I think one would recognize that some considerable research has gone on that would indicate there are legitimate concerns which have been expressed about PCBs. There have been a number of scientific studies which have indicated that, at least in laboratory tests that have taken place, they have been detrimental to the health of certain animal life.

Certainly, the member would know the manner in which we have dealt with PCBs, the very careful manner in which we have always attempted to have them stored appropriately until such time as there is a destruction mechanism. On that basis, I think the member would know my long-standing view that PCBs are substances with which we should be concerned. It is my intention to continue to take all appropriate action to ensure the public is protected from them.

**Mrs. Marland:** This minister himself has referred previously to the toxicity of PCBs and called them a toxic menace. I am also pleased to hear him say that he has always seen to it that PCBs were stored in a proper location because my supplementary is to ask him about that



location which is now provided as a storage site for PCBs in the flood plain of the Don River. I might add that if that flood plain does flood in the spring, it will wash right out into Lake Ontario from which we have thousands of people obtaining their drinking water.

The question is, when the minister allowed the approval for this site, was there any public input? Were they invited to comment? Were alternatives considered? Was there an environmental assessment? Why did he do it?

**Hon. Mr. Bradley:** If the member were sensible about this, she would know there are PCBs right across Ontario. She knows darned well that Ontario Hydro for years utilized PCBs in this province for the purposes of a coolant and that all over Ontario there is secure storage of PCBs. That is a regulation we have in effect. It is a regulation that has been emulated by some other provinces. It is a regulation which in fact has drawn a lot of favourable comment from those who are following Ontario's lead in this regard.

I am always happy to look into any specific instance that members of the House bring to my attention, but to pretend that this would be the only quantity of PCBs there is in the province is interesting. I will tell the member where the worst example of the storage of PCBs is in this province. It is going to cost the taxpayers of this province a heck of a lot of money, because her government left the largest quantity of PCBs in Canada sitting in Smithville and it is going to cost the people of this province millions of dollars to clean it up.

**Mr. Harris:** You are going to move it to the Don Valley. What a hero.

**Hon. Mr. Bradley:** You check Smithville.

**Mr. Harris:** We will move them from there to the Don Valley.

**Hon. Mr. Bradley:** You check Smithville.

**Mr. Harris:** Your answer is the Don Valley. Interjections.

**Mr. Speaker:** Order. There are other members waiting to ask questions.

#### LANDFILL SITE

**Mr. Owen:** I too have a question for the Minister of the Environment. In my riding, in the township of West Gwillimbury, is located a landfill site which has had a fairly lengthy career and certainly a very controversial one. Last summer, I had the opportunity to walk this site, and while it has a magnificent view towards the Nottawasaga River and Georgian Bay, the

immediate view is a vision of what should not be done in the management of a landfill site. It used to be owned privately and has now been taken over by the township.

My question to the minister is, what is the ministry doing to determine the extent of problems developing from the bad management at the site? Who is going to be looking after the cost of whatever the study or the appraisal is going to result in? In other words, is the township going to be stuck with it or is the—

**Mr. Speaker:** Order. The question has been asked.

1440

**Hon. Mr. Bradley:** The site, as the member has correctly pointed out, was previously owned and operated by York Sanitation and was later purchased by Waste Management Inc. and its Canadian landfill division. Subsequent to that, in 1966, the township of West Gwillimbury purchased the landfill site from Waste Management Inc., and the township now has assumed the responsibility for maintaining the integrity of the site as the new owner of that site.

The Ministry of the Environment, as the member has asked, has required that West Gwillimbury township have consultants who will prepare a report outlining the impact of the existing facility and the potential impact of the proposed new area. That is a method which we follow on a regular basis. This was required because of the encroachment of the landfill on to the adjacent lands that the member has made reference to.

The failure to maintain the required 50-foot buffer to the east and poor operation have been matters of great concern to us. A number of requests from the township to resolve this matter—

**Mr. Speaker:** Order. Supplementary.

**Mr. Owen:** I would like to ask, first of all, does the minister have any idea when the study might be completed and available to us and to the community to determine how bad the situation is? Is there any determination as to who is going to look after part or all of the costs that are probably going to be facing us?

**Hon. Mr. Bradley:** The member makes reference to the operation of the landfill site, and I can tell him that the certificate of approval certainly did include the establishment of a comprehensive ground-water and surface-water monitoring program, which I think people in the area were looking for; a program of remedial action to protect all site boundaries from the



unacceptable offsite impact; a new entrance; scales and operating plans; an inspector on the site. I think that is exceedingly important.

The ministry presented a draft certificate of approval for the review of the concerned residents so that they would have input. The new provisional certificate of approval was issued on October 19, 1987. Of course, if there is not compliance with that certificate of approval—and we hope that it will be implemented as soon as possible—the ultimate, when there is not compliance with that of course, is that the investigations and enforcement branch of the Ministry of the Environment has, under Bill 112, the prerogative of conducting an investigation and ensuring—

**Mr. Speaker:** Order.

#### INJURED WORKERS' MEDICAL REPORTS

**Miss Martel:** I have a question for the Minister of Labour concerning the office of the worker adviser, which is under his ministry. The minister will be aware that the office of the worker adviser was established mainly in response to the overwhelming number of Workers' Compensation Board appeals that MPPs were handling. Even with this office in place, there are many of us who are still handling a tremendous number of appeals on behalf of injured workers.

The minister will also know that in order to fight the appeals we require up-to-date medical reports from general practitioners or from orthopaedic surgeons, and unfortunately, in Ontario the practice of extra billing for these has not ended. Annually—and members of the House should be aware of this—the ministry provides a sum to the office of the worker adviser to pay for these medical reports. Last year that sum was approximately \$50,000. I am wondering when I and other members of this House can expect money from the ministry to pay for these medical reports as well.

**Hon. Mr. Sorbara:** It is an interesting suggestion. The question really does go, certainly, beyond simply the expenses that MPPs or constituents of MPPs might be incurring to the whole functioning of the office of the worker adviser.

My friend the member for Sudbury East is right, of course. It is two years ago now since the office of the worker adviser was set up, and it is very busy indeed right across the province. Notwithstanding that, many of us in this House, many of the 130 members who are here today, have a fairly substantial case load of workers' compensation claimants who come to their MPPs

for advice and oftentimes assistance in conjunction with appeals.

What the member is suggesting in her question is that some source of funding be provided through the ministry to pay for medical reports. It is a suggestion, frankly, that I have not heard before, but it is certainly one I will consider. I will have to do an assessment of the extent to which members are incurring those expenses.

**Miss Martel:** We could easily end the problem if the Minister of Health (Mrs. Caplan) would stop the extra billing, but I do not expect that to happen.

Given that a number of regional offices now have a backlog of anywhere from three to six months, which is the situation in Sudbury, given that the injured worker who has had his benefits terminated cannot afford to pay \$100 for an orthopaedic surgeon and given that MPPs' offices do not have a budget for this, I am wondering if the minister can give us some kind of time or date when this assessment can take place so we can continue with the business of trying to service injured workers in our own ridings.

**Hon. Mr. Sorbara:** I hope my friend the member for Sudbury East can get her facts straight. This is certainly not an issue of extra billing. Medical bills that arise in conjunction with a claim against the Workers' Compensation Board are separate and apart from the Ontario health insurance plan billing system. It simply does not have anything to do with the Minister of Health or anything that would touch on the whole process of billing through OHIP.

The member suggests that there should be a system of providing ongoing funding for claimants to pay for those costs. It is not an issue that has been brought to my attention before, and I cannot tell the member the extent of the problem across the province. Certainly, there is some backlog in some offices of worker advisers, and we are going to be looking into that backlog to ensure that claimants who come to the office of the worker adviser are handled in a speedy and expeditious fashion.

#### TRADE DEVELOPMENT

**Mr. Sterling:** I have a question of the Premier. I would like to welcome him back from Europe, although we are not exactly certain what he achieved there in terms of multilateral trade.

If the Premier is so concerned about encouraging multilateral trade in Europe, why has he not appointed a new provincial agent in France, a position which he knew was going to become



vacant as far back as 1986? And does he not now regret the closing of the Brussels office?

**Hon. Mr. Peterson:** We have an acting agent who is doing an excellent job. Everybody who has been through Paris tells me that. In fact, the member was over there visiting Europe last year on behalf of the government, and I am sure he would agree with the very same thing because he travelled about there.

Interjections.

**Mr. Sterling:** I am not an agent general.

Interjections.

**Mr. Sterling:** Yes, that is right. I am not even a general.

In November 1986, we raised with the then Minister of Industry, Trade and Technology the fact that he did not have a new assistant deputy minister for industry and trade development or expansion. The then minister, the member for Quinte (Mr. O'Neil), told us in November 1986, in his words, "In fact, the advertisement is in the newspaper this morning." That was 15 months ago.

Last week, more than a year later, we were advised that they were advertising this position as it was still vacant. If trade development is such a high priority with this government, can the Premier tell us why, after more than a year, this very key position has not been filled?

**Hon. Mr. Peterson:** We have a very active trade policy group that is working around the world. As a matter of fact, trade is virtually at record levels.

Interjection.

**Hon. Mr. Peterson:** My honourable friend appears to be applying for the job as agent general. He would not be the first in his party, but we can very happily interview him, along with the many others. I am sure his merits will be quite outstanding to all the people who interview.

In fact, we are pushing very hard on the trade fronts in the Pacific Rim, as the member will know. His honourable leader joined us in the Pacific Rim a year or so ago, and as I recall he enjoyed the trip very much. Every time I saw him he appeared to be enjoying the trip, I must say. That is the kind of initiative we need. I appreciate the help of the honourable interim leader of the Progressive Conservative Party in that trade mission to the Pacific Rim.

We are running trade missions now in Europe, and the honourable minister is in India—on this day, I believe—establishing new links between Ontario and the emerging world. I believe that this province has the capacity to be one of the

great multilateral traders and build on the great strengths we have, not only for the benefit of the people of this province but right across the free world for the benefit of those people with whom we trade.

My honourable friend is quite right to bring up these matters, and I appreciate his support.

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## ROUGE VALLEY

**Mr. Faubert:** My question is to the Minister of Government Services. Many residents of Scarborough and most community groups, including many in my riding of Scarborough-Ellesmere, have expressed concern that development of the tablelands outside but adjacent to the Rouge Valley system could harm the ecological systems of the valley and damage historic sites and wooded areas. Their position is that this would prevent future generations from enjoying this unique area. Some recently raised the further concern that the decision has already been made in principle that these tablelands will be developed for housing.

Can the minister advise this Legislature whether such a decision has been made?

**Hon. Mr. Patten:** I would like to thank the member for Scarborough-Ellesmere and inform him that the cabinet has not made such a decision.

He should be aware that the Scarborough council has agreed to or is in the process of submitting a proposal for some rezoning that would keep this land open or for recreational purposes. That process involves a proposal to the Ministry of Municipal Affairs. When that proposal comes forward, everyone will have a chance to respond accordingly.

**Mr. Faubert:** I would like to thank the minister for clarifying that. I am aware there are many competing interests and concerns the minister is confronting in making a decision on this matter. However, can the minister assure this Legislature that he will consider the ecological effects on the Rouge Valley that any development of the tablelands may bring about?

**Hon. Mr. Patten:** I can assure the member that all parties that have an interest in this particular piece of land will be heard and all interests will be considered. I think we have demonstrated our interest and concern for the environment and that we are committed to the planning process which will assure full consultation.

## EMPLOYMENT OPPORTUNITIES PROGRAM

**Mr. Allen:** I have a question of the Minister of Community and Social Services. According to that ministry's own estimates, over 100,000 able-bodied on welfare are missing out on employment opportunities to get off welfare because the employment opportunities programs of the government are of insufficient scale to include them. On the other hand, some 15,000 who do manage to get on them are not able to stay at work but go back to welfare because they cannot survive in the low-wage, dead-end jobs the minister's program leads to.

What is the minister going to do to provide adequate employability programs that will get the able-bodied, those in need of training, etc., off welfare rolls and into decent and well-paying jobs?

**Hon. Mr. Sweeney:** Our ministry, in co-operation with the Ministry of Skills Development, is involved in a number of training programs. The honourable member will be aware that we are currently co-operating with the federal government in a two-year employability program specifically for those people who are currently on either welfare or family benefits. That is a joint \$100-million program—\$50 million from the province and \$50 million from the federal government.

This provides job-developer opportunities at the local municipal level. It even provides opportunities for recipients to start businesses of their own. It reinforces some of the programs this ministry already has in place; for example, the social service employment program whereby single mothers can, for up to one year, work in one of the various social service programs in their community and be supported with respect to employment. The member is aware we have the work incentive program, which enables people to get out into productive employment and be supported financially. The member is aware we have programs for the children of recipients of social service, both for after school and for the summertime.

Those are the ones available in our ministry. The Ministry of Skills Development is responsible to a larger extent for the broader community. I want to reinforce, however, that the employability program between the two levels of government is a clearly targeted program whereby we are redirecting resources that would normally go—

**Mr. Speaker:** Order. Supplementary.

**Mr. Allen:** The minister knows that even with the best success of all those programs, he is probably still not going to reach more than 25,000 of the people I alluded to. Let me refer specifically to the community economic development program, which is part of that employability package. Four lines or so were devoted to that in an announcement on July 31. The next significant thing that happened was on December 10, when 23 people from across the province, a preselected group, were given the complex guidelines that were necessary and given a panic button deadline of January 22 in order to respond with programs that could amount to \$1 million in scale.

Obviously, either the minister has preselected the group that will respond to that program or else that program is going to go undersubscribed. Is that the effective and imaginative way he plans to go about getting people off welfare in these new programs and into substantial and well-paying jobs?

**Hon. Mr. Sweeney:** The honourable member did put his finger on part of the difficulty. The program I am describing and that he has referred to is a two-year, time-limited program between the two levels of government. The purpose of it was for us to explore jointly a number of possible ways of assisting people who are on social assistance. It is a short time period and we have put out a number of proposals working directly with the municipalities, sometimes working through the federal government's employment offices and sometimes working through our offices.

Because of the time limit component to it, we did ask a consultant to try to pinpoint for us those communities and those kinds of potential operations that would be more likely to succeed in the very short run, or that would at least have a reasonable chance of success in the short run. So if we can jointly with our funding partners at the federal level decide to go forward to a longer-term run, we would have some successes that we could show them.

The member refers to the fact that we asked people to come up with a proposal within a month. We had a couple of communities—his own, for example, in Hamilton—that said they needed a little more time. They were given a little more time, and those proposals are now coming forward.

I have no way of knowing for sure whether the time line that we have suggested in terms of demonstrating their ability will be sufficient. It is



a program whereby we are going to try a number of initiatives.

#### SUBSTITUTE FOR ROAD SALT

**Mr. Villeneuve:** I have a question for the Minister of Transportation. The minister will be aware of a couple of mistakes he made yesterday when answering questions at the Rural Ontario Municipal Association convention, when he said he did not know that corn could be used to provide an environmentally safe substitute for road salt. In fact, his ministry has been testing CMA, calcium magnesium acetate, for years and has published reports that if corn were to be used to produce the acetate in CMA, then the cost could decline substantially.

Is the government of Ontario willing to commit itself to get rid of road salt in favour of CMA, which is environmentally safe?

**Hon. Mr. Fulton:** It has been a very informative afternoon. Earlier we learned who or what was eating our asphalt roads, and now I have learned that corn is the ingredient in calcium magnesium acetate. Perhaps had the member availed himself of the ROMA convention yesterday, he would have heard the question asked of me from a member from eastern Ontario.

**Hon. R. F. Nixon:** It was a good answer, too.

**Hon. Mr. Fulton:** I gave an excellent answer. Thank you.

The fact is that I did refer to calcium magnesium acetate, but I really was not deeply involved in the chemistry that brought that product on the market. I apologize that I was unaware that corn was the aggregate in that product.

If the member had been aware of questions last year, we dealt with this very issue in looking at that product as a substitute for salt. The fact of the matter is that whereas salt is in the price range of \$30 to \$35 per ton, CMA at the moment is in the range of \$1,045 per ton. The magnitude is in the hundreds of millions of dollars to this province. At this time, while we will continue, as we have, exploring other options and alternatives to the use of salt on our roads and highways, we certainly are not in a financial position to eliminate the salt and go with the new product, which in any event is not in the supplies required for Ontario's needs.

1500

**Mr. Villeneuve:** The minister is right when he says calcium magnesium acetate has probably been too expensive in the past. But I am sure that he will know now that if CMA is produced from

corn, it can be done for 12 cents a pound, a cost which would save taxpayers money due to considerably less corrosion and structural problems being caused by calcium.

If industry had a clear commitment that CMA would replace salt, more economic manufacturing would be possible. Will the minister now pronounce himself in favour of an environmentally safe product and give a signal to the industry that CMA will be used in the not-too-distant future?

**Hon. Mr. Fulton:** Certainly, we will continue to pursue a less environmentally sensitive product than salt. One of the problems is, as I stated in my first answer, that the availability of the product is inadequate for our needs and the lowest base price that I am aware of is more in the range of \$500 a ton. If indeed our needs could be met, it is still in the order of 15 times the cost of salt; but certainly the member has my undertaking and my ministry's undertaking, as the member to his right can attest.

We have been exploring and experimenting with many products for a continued period of time. Obviously, it is in our best financial interest as a ministry, and certainly in this government's interest, to reduce the outlay for those purposes. It is certainly in the interests of the motorists, the municipalities and everyone else with whom we are financially involved across this province. Certainly, the member has my commitment that we will continue to pursue an alternative.

#### WORKERS' COMPENSATION BOARD

**Mr. Hampton:** My question is for the Minister of Labour. The minister should know that there is an incredible backlog of hundreds of cases at the Workers' Compensation Board office in Thunder Bay. One of those cases, but I would suggest not an unusual case, is the case of a Gordon Gallinger of Atikokan, who has been fighting with the board's bureaucracy since 1975. In that time, he has seen three medical specialists who all confirm his disability.

Over a year ago—a year and a half ago in October—he was told by the board's bureaucracy that he would be assessed for a disability pension within one year. As of last Friday, we telephoned the board to see when the assessment was going to be, and it said maybe in nine or 10 months. Does the minister think it is fair that an injured worker should survive on a poverty-level income for two years while the board's bureaucracy decides if it can assess him? Does he think it is fair, and what is the minister going to do—

**Mr. Speaker:** Order. I think the question has been asked.

**Hon. Mr. Sorbara:** Obviously, with the time expired in question period, I do not want to get involved in a lengthy answer and I could not provide details to my friend on the specific case. My friend should know that there are well over 400,000 cases that are dealt with by the board every single year. He will also know that in the current regime we have a system whereby pension assessments and supplements are under very substantial review.

I hope in the spring session we will be bringing in reforms so that those sorts of reviews can happen more expeditiously, a better system for people who suffer permanent but partial disabilities. If my friend likes, I will make inquiries about the specific case and then, if he likes, I can get back to him privately.

### PETITIONS

#### INCOME TAX ASSISTANCE

**Mr. Pouliot:** I have a petition signed by well over 600 people in the riding of Lake Nipigon:

"To the Lieutenant Governor and the members of the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario to impress upon the federal government the immediate need to address the inequities and shortcomings in the qualification process for income tax assistance for residents of remote northern communities."

Interjections.

**Mr. Speaker:** Possibly, we should just wait until there is a little less commotion.

#### RECREATION TRAIL

**Mr. Pollock:** I have a petition to the Lieutenant Governor and the members of the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That we are in favour of the former Canadian National Railway line known as the Marmora subdivision being developed as a recreation trail."

It is signed by 303 in favour and one opposed.

#### NATUROPATHY

**Mrs. Stoner:** I have six petitions with a total of 65 signatures dealing with the subject of naturopathy.

The petitions "call on the government to introduce legislation that would guarantee natur-

opaths the right to practise their art and science to the fullest without prejudice or harassment."

**Mr. McGuigan:** I have a petition:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

Interjections.

**Mr. Speaker:** Order once more. Thank you.

**Mr. Reville:** My petition is in the same style as that of the member for Essex-Kent. It is signed by 50 residents of Metro Toronto and is forwarded through the chiropractic and naturopathic clinic at 320 Danforth Avenue. It has the same request to the Legislature.

#### RETAIL STORE HOURS

**Mrs. Marland:** I have a petition to the Premier (Mr. Peterson), which says:

"The undersigned objects to your decision to pass the responsibility for seven-day retailing on to the municipalities and also objects to the inevitable increased costs and the elimination of the opportunity for a common pause day for families."

This petition is presented through the collection facility of Lansing Buildall at several of its branches. There are in excess of 900 in this particular group.

**Mr. Speaker:** I listened carefully. Was that addressed to the Lieutenant Governor in Council?

**Mrs. Marland:** Actually, it is addressed to the Premier.

**Mr. Speaker:** Oh, well.

**Mrs. Marland:** Is it possible to ask the Premier to forward it?

**Mr. Speaker:** You may send it to the Premier.

### INTRODUCTION OF BILLS

#### MACHIN MINES LIMITED

Mr. Kanter moved first reading of Bill Pr34, An Act to revive Machin Mines Limited.



Motion agreed to.

PROW YELLOWKNIFE GOLD MINES  
LTD. ACT

Mr. Kanter moved first reading of Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd.

Motion agreed to.

1510

ORDERS OF THE DAY

House in committee of the whole.

MEMBERS' CONFLICT OF INTEREST ACT  
LOI SUR LES CONFLITS D'INTÉRÊTS DES  
MEMBRES DE L'ASSEMBLÉE

Consideration of Bill 1, An Act respecting Conflicts of Interest of Members of the Assembly and the Executive Council.

Étude du projet de loi 1, Loi concernant les conflits d'intérêts des membres de l'Assemblée et du Conseil des ministres.

**Mr. Chairman:** Are there any questions, comments or amendments, and if so, to which sections of the bill? I ask the members at this point, since I would like to address a complete list of any of the sections they may want to amend at this moment, please. I think it will make it easier for the chair to be able to proceed with the revision of the bill.

**Mr. Eves:** I have one amendment, and one amendment only, that we are proposing to section 20 of the bill.

**Mr. Chairman:** Section 20, thank you. Any other members?

**Mr. Sterling:** I would have proposed many amendments to this bill. However, during the committee hearing our caucus presented over 20 to 25 different amendments to different sections, and in a bill like the Members' Conflict of Interest Act, where we had understood the Attorney General (Mr. Scott) was going to listen to amendments with some reason or objectivity, we had expected that there would have been some acceptance of at least a few of the amendments. We were rejected in every case, on every amendment.

Therefore, our caucus has decided to introduce only one amendment at this time because we feel the Attorney General is not receptive to change, not receptive to reason, not receptive to objectivity, even though this is the kind of legislation which should be forged and made by all parties in this Legislature.

Therefore, it is with some regret that I do not present those amendments again for inclusion at this time.

There were some good amendments put forward, not only by our party but also by the New Democratic Party, and very few were accepted. There were various minor ones accepted, but there were none of substance accepted by this government. Their attempt at appearing to listen to reasoned argument, even to listen to the unofficial commissioner of complaints, the Honourable John Black Aird—even his reasoned amendments or suggested amendments fell on the deaf ears of the Attorney General.

Therefore, we are facing this particular part of the procedure and trying to save the time of the House only so that we will not bore members with good reason which will not be accepted by an arrogant majority government.

**Mr. Offer:** On a point of order, Mr. Chairman: With respect to the particular amendment which has been indicated, I am wondering if that is an amendment to section 20 or if it is more properly section 21.

**Mr. Eves:** Quite right, Mr. Chairman. I have just been given a copy from the table, and I see that, as the bill has been reprinted, it is now section 21. So the amendment will be with respect to section 21.

**Mr. Chairman:** Do other members wish to list at this moment other sections to which they would like to present an amendment or on which they would like discussion? I understand, therefore, that the only amendment concerned is on section 21. Is that correct? Fair enough. In that case, shall sections 1 to 20 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Sections 1 to 20, inclusive, agreed to.

Les articles 1 à 20, inclusivement, sont adoptés.

Section/article 21:

**Mr. Chairman:** Mr. Eves moves that section 21 of the bill be amended by striking out "Members' Conflict of Interest Act, 1988" in the first and second lines and inserting, in lieu thereof, "Members' Disclosure Act, 1988."

Mr. Eves propose que l'article 21 du projet de loi soit modifié par substitution, à «Loi de 1988 sur les conflits d'intérêts des membres de l'Assemblée», aux première et deuxième lignes, de «Loi de 1988 sur la divulgation exigée des membres de l'Assemblée».

**Mr. Eves:** As my colleague has already indicated, we are moving only one amendment in committee of the whole. I do not believe in taking up the entire Legislature's time with the many amendments our party and the official opposition moved in committee, which were defeated, as my colleague has said, by the majority members on that committee, the government members in many instances.

It was pointed out by government members throughout the debate on this bill in committee that, for the first time, we had disclosure legislation. In fact, the Attorney General on numerous occasions in committee, when he was talking about the bill, did not refer to it as "conflict-of-interest" legislation. He referred to it as "disclosure" legislation and "this disclosure act." For the first time we will have provisions with respect to "disclosure" in the province of Ontario.

All that is quite right. The Attorney General is quite right in that regard. In fact, he is so right that we have moved this amendment with respect to section 21 because, in effect, that is all this bill really does. It definitely does require disclosure by members, and members of the executive council, of potential conflicts and what their interests are so that all other members of the public, and members of the Legislature, can see where potential or perhaps actual conflicts do exist.

But there is nothing in this act, as we have indicated on several occasions in committee, in the Legislature and here again this afternoon in the House, prohibiting members of the executive council from entering into very direct agreements, arrangements and contracts with the province of Ontario. If we read and interpret the act correctly—and if we do not, I wish some other members of the House would enlighten us—there is nothing that requires a cabinet minister to divest his or her interest where a conflict exists.

They merely have to state that they have a conflict. They obviously cannot participate in any vote or discussion with respect to that particular matter, but once they have done that it is fine to fill their pockets with the taxpayers' money as long as they have disclosed their conflict. We, in our party, believe—and I believe the official opposition does as well—that surely there has to be a much higher standard among members of the executive council than that.

In this province in the past, it is interesting to note, even when there was no conflict-of-interest legislation but merely guidelines—for example, in the Bill Davis government years—this type of

activity could not have taken place. There are several cabinet ministers sitting over there today who, with all due respect to them, would not be able to be cabinet ministers in a Bill Davis government because of the fact there is no divestment required here. Under this potential legislation, Bill 1, cabinet ministers can have contracts directly with the province. As long as they disclose that conflict, it is fair ball.

**1520**

For example, you can be a cabinet minister, have a forest management agreement and make \$20 million of the taxpayers' money. As long as you disclose that interest, that is fine. You can own an office building in a numbered company and lease it to Ontario. As long as you disclose it and do not take part in those discussions as they come up in cabinet or wherever and do not vote on the same, that is fine too.

I do not really think that is what the average member of the public out there looks at or thinks of when he is thinking about conflict-of-interest legislation. I am sure most members of the public would be shocked. If we look at some of the goings-on at the federal level in recent months, and indeed at the provincial level as well—

**Mr. Callahan:** Is something happening up here?

**Mr. Eves:** The whole point of this act, the reason we have this act in the first place is because there were a couple of cabinet ministers in this government who found themselves in difficulty, so now we are going to write a conflict-of-interest act. That was the whole point of this act in the first place.

Originally, it started out to cover members of the executive council. Then the government decided maybe we should expand this to members of the Legislative Assembly as a whole. We in our party do not find anything wrong with that concept. In fact, we think that is great, but surely there has to be a higher standard or degree demanded of members of the executive council who are making the day-to-day policy and operational decisions of a government. Surely there has to be a higher standard of conduct expected of those members of the executive council than of ordinary members, because they have access to very confidential information which ordinary members of the Legislative Assembly do not have. They also make decisions and have powers which members of the Legislative Assembly, as ordinary members, do not have.

Along with that responsibility, along with that power and that access to confidential informa-



tion, surely goes the responsibility of delivering it properly and prudently. The perception is as important as anything, that Ontario is entitled to government without conflict of interest and without cabinet ministers lining their pockets at the expense of the Ontario taxpayer.

Surely, if you are going to be a member of the executive council, as you had to do during the Bill Davis years, if you are going to accept that appointment you know ahead of time that you are going to have to divest yourself of any holdings you may have which bring you into conflict with the government and which end up, as a net result, with taxpayers' money in your pocket or that of your family or your associates. I think that is crucial. That cuts right to the quick of this whole issue.

This act is really nothing more than a disclosure act. It really does not do much about conflict of interest per se. That is why we in our party are moving that the short title of this act be changed from the Members' Conflict of Interest Act to the Members' Disclosure Act. We quite agree with the Attorney General; we think it is a disclosure act, as he referred to it many times in committee. We think that is basically about all it does.

It does not go far enough. We would have liked to see many amendments made which we moved during committee and some amendments the official opposition made, as well. We think they would have greatly strengthened this act.

There are other jurisdictions in Canada which have tougher conflict-of-interest legislation right now. Surely, if we in Ontario are moving now to enshrine in legislation conflict-of-interest guidelines, we should be making them as strong as possible, not making them stronger for ordinary members but weakening them for members of the executive council.

There are other deficiencies in this act. Those comments I will reserve and others of my colleagues will reserve until third-reading debate, which I understand will, by agreement, take place this afternoon as well. I will not take up more of the committee's time other than to point out the fact that we feel very strongly that this indeed is a members' disclosure act as opposed to a true piece of conflict-of-interest legislation.

**Mr. Breaugh:** I want to speak briefly to the amendment that has been proposed because it is a matter that we did discuss at some length during the course of the committee hearings.

The government makes an argument that the cornerstone of what it is trying to do with this

legislation is disclosure. I would agree, and my caucus agrees, that is one of the important parts of a conflict-of-interest bill.

I am afraid I would like to accept the amendment, but I cannot. The conclusion I came to during the course of the committee hearings is that, if anything, this bill is not a disclosure bill. This bill purports to put on the public record, so that the public can see and understand, where the possible conflicts might arise in a cabinet minister's stock investments and the business interests that he might have.

It does not do that. Here is, I think, one of the fatal flaws in the bill. It purports to be a bill which provides the public with information about its elected officials and it does not do that.

Let me just quote one example, because there has not been much attention paid to the disclosure statements that were filed by this cabinet now in office after the last election. There is a reason that no one is writing a whole lot of news stories about those disclosure statements. There is not very much information there. One can get a rough cut at who has some interest in some areas, but try this on for size; pretend for a moment that you are not a member of this Legislature or you may not have a whole lot of investments of your own and you have heard that the cabinet in Ontario files and makes public its private interests and that you, as a private citizen, now have a right to find out what those interests are, and you read the public disclosure statement made by the Premier (Mr. Peterson).

Here it is. He has interests, shares, in a private company, 729252 Ontario Inc., London, Ontario. If you are into investments, if you happen to know who owns this numbered company, you might just have received some information. If you are an ordinary citizen in Ontario or a member like me, this statement tells you absolutely nothing—not a thing.

It says the Premier has a residence in London, that he has a registered retirement savings plan with a self-directed portfolio, Industrial Growth Fund. He has bank deposits. He has Canada Treasury bills. He has Canada savings bonds. He has participation in the following underwriting syndicates of Lloyd's of London: Marine syndicates 228, 321, 334, 406, 741, 851, 888; nonmarine syndicates 43, 90, 435, 799; aviation syndicate 312; motor syndicate 533.

This is what is on the public record as being information about the holdings of the Premier of Ontario. I contend that this is not a public information process. This is a public disinformation process. This does not tell the public in



Ontario anything about any of those numbered companies. It does not tell the public of Ontario anything about the size of the investments that might be there.

We had interesting arguments in committee as to whether the amounts were relevant. There was some disagreement, I should tell you, in the committee over that. I argue that there is a difference between someone who has a dollar's worth of shares in a company and someone who has \$100,000 worth of shares in a company. I am not interested that you give me the specific dollar value, which may be difficult to do, but I am interested in some classification system that would indicate that this person is a heavy hitter in the stock market or just dabbles on Friday morning.

I think there is a distinction to be made there, just as I would say there is a distinction between what I own, which is 100 shares in a food co-op in Oshawa that does not exist any more, and somebody who has 100 shares in a large food chain that is currently in operation.

Those are distinctions which I think ordinary people make. They want to know these things, and they want it written in language which is clearly understood by them. This should not be a law that is written so that the lawyers understand and no one else does. It should not be a law written in such a way that an investment broker could understand it, but no one else in our population stood a chance.

**1530**

It is interesting that in the course of our discussions in committee, one or two little amendments were accepted; one, for example, which said that if it were a private company, you could give a better description. There was general agreement that there could be a better description where it was a publicly held corporation and you knew what its activities were. But I want to put on the record this afternoon that in my view the disclosure provisions of this bill are nonexistent, that this bill provides for disinformation rather than information and that this provides an occasion to cover up your holdings rather than reveal them. I believe that to be a fraudulent act. I believe it is fraudulent to say to the people of Ontario, "We now have public disclosure of our cabinet's investments," when in fact you put it out in a form the public cannot possibly understand.

There are some other things I find unsettling. The original idea was that there would be a public statement of assets and liabilities. I think what we were searching for as a consensus in committee

was certainly not the American model because, members may know, in many jurisdictions in the United States when they talk public disclosure they do not jack around; they mean all your bank accounts, a full investigation by the federal income tax people and an investigation by the Federal Bureau of Investigation. They mean the Securities and Exchange Commission takes a look at what you have and all this goes on the public record.

The Americans seem to live with that. Sometimes they withhold portions of that. Under certain circumstances only a select group of people gets to see the information. But when they talk disclosure down there, they do not jack around with the process. They put it all out on the table and everybody has access to it. There are a few limitations to it, but very few. Our system is exactly the opposite.

In reading the statements that are made public by this cabinet, I kept finding something really unusual. Under the section named "Liabilities," a large number of people put down that they have absolutely no liabilities. They do not owe anybody anything. Either we have one of the wealthiest cabinets in the country or there is more misinformation under way here.

Where I come from it is normal that a person in my position would have a house; but it is rather unusual that the house would be completely paid for, so you owe a mortgage on something. There are a few people who pay cash for their cars these days, but not many. For most of us who live in this country, we know assets and liabilities. We have perhaps not much understanding of stock investments. Maybe we do not know a whole lot about growth funds, but we do know that we own some things and here is what they are and this is roughly what they are worth; and we owe money for these other things, and those are our liabilities.

It may well be true that there are members of our cabinet—the Premier is one example—who have absolutely no liabilities, absolutely no debts anywhere; but I really find it hard to believe. It may be true, but I do find it difficult to understand that there would be absolutely no moneys owing anywhere, of any amount. If you said there were amounts owing of less than \$5,000 and that was your classification system, I would agree that was probably not worth bothering with, except to note it.

If you look at it, it is interesting how this matter of conflict of interest keeps coming back into the political cycle in Canada. It simply will not go away now. In the federal government,



although this sounded like a theoretical exercise when we were going through it in committee, the latest scandal in the Mulroney cabinet has to do with liabilities, has to do with loans and mortgages and the circumstances under which they were arranged and the amounts.

I would content that if there were a minister in the Mulroney government who this morning was found to have forgotten to disclose a liability of a \$1,000 mortgage on his house, people in Canada would look at that a whole lot differently than they would on what we now know: that a minister of the crown had liabilities in the order of a quarter of a million dollars and that he lived in a condominium that was financed through one of those loans. The circumstances make the difference and the amount makes the difference.

As we go through our political process on conflict of interest, each time we turn around we see a new problem that goes from the theoretical to reality in a hurry. I was very interested in what the Parker commission had to say on this kind of thing. The one thing that struck me about all the \$3 million worth of words that the Parker commission put into effect on the Sinclair Stevens inquiry was simply this: "No matter what you do, it must be done in clear, straightforward language." That was the essence of the argument. You could not obfuscate this thing; you could not cover it up. In my view, that is precisely what this bill does, and that is why I cannot support this amendment, as much as I would like to.

I wish this bill did cause disclosure in Ontario but, in my view, it does not do that at all. It produces piles of paper. These are the disclosure statements from the current cabinet. What amazes me is that there are whole sheets in here with absolutely nothing on them.

Here is one from a minister of the crown where, included in the member's statement—this is a version of a public document that was put out. There is the sheet, the official filing paper of this member's statement and it says, "Other Matters." It has the member's name at the top and there is not one other word on the whole sheet of paper.

Perhaps the purpose of the exercise was to create bulk, in which case it has succeeded. There is a lot of bulk in all this but there is very little fibre in it. There is very little in the way of real information. It strikes me still that the vast majority of what the government repeatedly calls the cornerstone of its legislation, that is disclosure, remains hidden.

In committee we went through the delicate argument, and I believe it is a delicate argument, of distinguishing between any member's private interests and what should rightfully be made public. I think we agreed that there is no need here in Ontario law to put together a disclosure clause in this type of legislation that has everybody's bank account as a matter of public record. I do not think that was anybody's intention. Nobody moved any amendments like that. We spoke against it in committee, because we did not think that was relevant.

Surely, between that extreme, which perhaps would be the American model—as a matter of fact I know would be the case in some American jurisdictions, where the bank accounts of every single member of the Legislature would be a matter of public record. I believe that is a substantial invasion of privacy, but I do think it is possible to do some kind of classification system and I do think it is possible to provide relevant information.

I go back to what looks to me to be more than coincidence. I know there were good intentions on the part of the commissioner. I believe there were good intentions on the part of the government when it drafted this bill. But the end result was to hide more information than it made public. I believe that is morally wrong.

It would not be so wrong if the government did not go about touting the fact that it had a public disclosure process. The previous government never said anything like that, never said it was going to tell us who owned what or what the assets and liabilities were. They never made that promise. So you could not really fault them when they never made that information available. But this government makes a big deal out of being open, out of providing a disclosure process that is public and provides the public with information.

The tragedy is that it does no such thing. It hides the information. It adds the air of authenticity by striking a commissioner. It chooses one of Canada's public servants, John Black Aird, to be the interim commissioner. By lending his name to the process he adds a great deal of what people would call respect, authority and legitimacy to the process.

I think it is unfortunate that at the end of this process we have a disclosure process which gives us no information at all, which hides information. It really struck me, in looking through the statements, that if the government was to devise a system whereby members of the cabinet could hide their assets, that is what we would wind up with. If they were trying to start out and devise a



process that would keep from the public any pertinent information, that is what we have.

I would like to support the amendment that is being put forward by my colleague this afternoon, but I cannot because this is not a process. This bill does not provide the public with information about anybody's assets or anybody's liabilities.

**1540**

We did listen to the arguments. Some of this stuff I find fascinating, to tell the truth. I think it is fascinating, as the Attorney General, who is not with us this afternoon—and perhaps that is an indication of the amount of respect he has for this bill in the Legislature. I listened to the Attorney General in committee repeatedly saying, "Well, if it is a publicly traded company, nobody knows its assets." He kept talking about Inco. Nobody knows the assets of that corporation, and in fact even though you might be a shareholder you cannot go to the annual meeting and find out what its assets are.

I think I could tell members what Inco has. I may not be able to tell them all of it, but I think I could tell them some places in Ontario where they have mines and where they have assets. I think if I were a shareholder in that organization, I would want access to an annual report which told me what they were doing with my money. I think that is a reasonable expectation, and I think most people would want it. It might be right that technically you cannot force them to disclose all the investments they have made all over the world.

The Attorney General did accept the amendment which said a private corporation could have its assets limited, but he led a spirited defence that maybe no one knows what that numbered corporation has as its assets or liabilities. Somebody ought to know. How else will you detect when a conflict of interest occurs if you do not know readily what the investment really is all about?

I found a bad taste in my mouth after we had gone through this process, because I think we made the arguments clearly in committee, both opposition parties did, and I do not think they were given in a spirit of meanness. I think they were given in a spirit of openness to try to point out to the Attorney General, who is a very intelligent man, that there is a problem here. He cannot call this a public disclosure system when it is put in a language that the public does not understand. So I cannot believe for a moment that he did not get the message. I cannot believe for a moment that he did not understand that.

This again is something that I really find sad. He began the process in committee by saying, "The government recognizes that this is not about a conflict-of-interest bill that satisfies only the government side." He began by talking to me privately and publicly saying, "This ought to be done by consensus." But every time someone pointed out a part of the bill that should be changed, he said, "But consensus means what I want, not what you want." That is a different form of consensus than I have ever heard of.

I will make this argument briefly now and perhaps a little more later on. The problem is, the government is incredibly stupid if it really believes that it can pass a conflict-of-interest bill which makes its members all smile but which the opposition parties do not accept. It may think it gets itself off the hook by saying, "We have filed with the commission this much paper," but there are people who actually read this much paper and there are people who actually ask, "What does all this junk mean?"

The credibility of the government is on the line. It cannot say, "This is about public disclosure," and then not disclose anything. It cannot say this is about the behaviour of all members of the Legislature when the opposition parties look at this bill and say, "It is wrong;" and the government says: "We do not care what you think. We are not about to take your amendments. We are not about to take into consideration any points which you want to make."

It may be true. I have heard the old Attorney General, bless his soul, say this on other occasions. This is probably the kind of legislation that should be done in a minority parliament, where whether the government wants to or not it has to listen to some opposition amendments.

**Mr. Sterling:** Do not bet on it.

**Mr. Breaugh:** I do not see any difference today than I did three years ago, to tell the truth. I see the same arrogance rolling out of a government with a big majority that I have seen here many times before. It is true that in here, in this House, when the votes are called, the government does not have to listen to us at all. It is true that in here the government can design conflict-of-interest legislation which meets its own political, personal preference and pays no attention to anybody else, but in the long run that is a pretty risky business. I want to point to our federal colleagues to point out what can go wrong with a huge majority, where a government is so insensitive that even on a bill like this it says, "We have no time for what the opposition says."



Now it is true, I will give them this much: the public out there today probably does not care about this bill, and the people out there today are probably not lining up at the Clerk's office to get a look at these disclosure statements; but I will tell members, when it goes wrong, they are going to be there. The press are not hounding members this afternoon about conflict-of-interest legislation; but when something goes wrong, they will be. And when it goes wrong, government members are not going to be able to look over here and say: "Well, listen, all the members agreed that this bill was a good idea. All the members agreed that this was workable legislation. All the members agreed that this thing was doing what had to be done." It does not do that.

When the government members get in trouble—and I did not say "if," I said "when"—they will look over here and they are going to find some very angry people. Then they will go outside to the press gallery and they will again find more angry people. And eventually they will face the population, who will indeed be very angry. You see, they may not remember all the fine points; they may not remember every detail in a law like this. It probably is of no interest to them. But maybe, just maybe, the government should have gone down to Ottawa and talked to Brian Mulroney, because I do not remember a time in Canadian politics when we have ever had this much attention paid to conflict of interest.

I am reminded as I read the Parker commission report on Sinclair Stevens that in the end Sinclair Stevens said: "I didn't do anything wrong. They have a wrong definition of 'conflict of interest.'" We, the people of Canada, spent \$3 million. At the end of the process, the guy is found guilty on 14 counts, and he walks around saying, "I did not do anything wrong." Give us a break, folks. There has got to be some sanity in this process somewhere.

You see, there is a government with a huge majority. There is a government that started off very much as this government did: no problems, big majority. It should be able to do things without any difficulty at all. Then, one by one, the wheels kept falling off the cart. Members cannot convince me or anybody I know that that little wagon can be put back together again by the time the next election rolls around. What is more, in the process I believe they have done incredible damage to the whole political structure in Canada.

I saw the Prime Minister of Canada in a press conference in one of those little scrums in the hall—I think it was probably about Wednesday or

Thursday of last week—the Prime Minister of Canada, with a huge majority, standing in the halls of Parliament saying: "I raised hell with my cabinet. I read the riot act to them." Fine; I expected him to do exactly that a long time ago. But he is sitting there with one of the hugest majorities in the history of the Canadian Parliament. He has had repeated scandals and he is standing there in the halls of Parliament saying, "I cannot do anything about this." Well, I do not think that does any of us any good.

It is late in the day, and I am not going to argue on this clause any longer. We have had our say. We tried to warn the government that they are doing things the wrong way; that they can pass it, but they are not going to get themselves out of trouble. This whole process of saying that they have a public disclosure process at work when in reality they have not is morally wrong, and they should be ashamed of themselves for trying to put this one over on the people of Ontario.

**Mr. Sterling:** I would just like to respond in some way to the concern of the member for Oshawa (Mr. Breaugh) over this amendment. In my view, the title of this bill should be "An Act to whitewash Future Cabinet Conflicts Totally and in Every Way." That is really what this act is all about. It sets up a phoney disclosure system, it sets up a toothless tiger as a commissioner and then it declares in the title that it is a conflict-of-interest act.

Trying to find a title to describe properly what this act really does is a difficult task in itself. That is why my colleague has brought forward this particular amendment, first to point out that it is not a conflict-of-interest act. That is the most important point. Number two, it is a disclosure act, but it is a very, very weak disclosure act, as the member for Oshawa has pointed out.

#### 1550

Number three is that this act is much worse than the status quo. I would much prefer the existing situation because, as you know, Mr. Chairman, even if this Legislature in its eminent wisdom wants to look into a matter after the commissioner has looked into an alleged conflict of interest, we eliminate that possibility within the act. It is the first act I have ever seen in my 11 years as an MPP in this Legislature where we have tried in legislation to limit what we could do here in the Legislature in the future. It is a shameful act in that regard, more than any other way.

We expect the amendment not to carry because we know the government side wants to go out to the public so it will, hopefully, get headlines



tomorrow that will say, "Conflict of Interest Act Passed by the Ontario Government," "All Conflict Problems Resolved in Ontario," etc. There will not be any conflicts of interest in this province in the future because they set up a system to whitewash everything that is going to happen in this Legislative Assembly in the future. It will not matter whether a minister is doing business with the government. It will not matter what he does in the future. He will not be disqualified from sitting as a member in here in the normal situation.

I mean the joke of this whole act, of the whole act being a conflict-of-interest act: do the members know what it does? It gives the commissioner the right to make recommendations back here. The commissioner comes back with the recommendation that a Liberal member or a Liberal cabinet member should be disqualified from this assembly. Do the members think there is going to be free vote in here as to whether that member should be disqualified, because we are all going to have to sit around here and deal with a recommendation of the commissioner?

Do the members think 94 Liberals are going to vote against a colleague who has been shown and recommended by the commissioner to be disqualified? Do the members think they are going to vote individually on their own conscience? Nothing could be further from the truth. This is an act set up for a majority government to quash any valid claims for conflict of interest. It sets up a toothless commissioner and a poor disclosure system.

The amendment of the member for Parry Sound (Mr. Eves), in my view, is the second-best choice. As I mentioned, my first choice would be not to have this act at all. I would ask the member for Oshawa to consider it as the second-best choice in terms of its not being a conflict of interest, number one, but being a very poor disclosure act, number two.

**Mr. Chairman:** Do other members wish to participate?

**Mr. Offer:** I would like to rise and address some comments to the amendment at hand, in particular with respect to my position of not supporting the amendment.

I have heard the members for Oshawa, Parry Sound and Carleton (Mr. Sterling) talk about what the act is and what the act is not. It is interesting that the member for Parry Sound indicates that it is only a disclosure act, the member for Oshawa indicates that it is not a disclosure act and the member for Carleton indicates it is possibly a disclosure act.

I think we have to realize that the aim of this legislation is primarily to set the standards by which the members can measure their conduct and be measured, from which they can gain assurance that compliance will protect their integrity. That is the primary aim of this legislation. In this perspective, the intent of the law is somewhat facilitative; that is, it assists members in the performance of their duties and obligations by virtue of a clear understanding as to what is conflict and what is insider information and influence. It gives the members that information. It allows them to avail themselves of the use of a commissioner to ask that commissioner in private questions concerning how they may be affected by this particular legislation and by the definition of conflict of interest, insider information and influence.

I think this legislation is not only disclosure legislation; it goes much further. It addresses a major problem that members of this assembly may come up with in dealing with the frequent confusion about the distinction between a conflict of interest and a disclosure of interest. It addresses on the public side that a member's failure to disclose an interest, however minimal or remote and however inadvertent, is perceived as a conflict of interest. On the member's side, there is a tendency to believe that if one has complied with all of the disclosure requirements, it is not possible to have a conflict of interest. The failure to appreciate the difference between the general prohibition against the conflict of interest and the specific duty of disclosure increases the tension between the public and its elected representatives.

That is what this legislation is designed to eliminate and alleviate. This bill is not only disclosure. This bill has four very important and key elements.

It provides a clear, comprehensive and objective definition of conflict of interest and establishes a concise code of conduct for all members of the assembly.

Second, it requires full financial disclosure of the member's interest and the interests of spouses and minor children.

Third, and maybe for most of us most important, it establishes a procedure for us as members to receive advice and recommendations from an independent commissioner.

Fourth, it provides for the resolution of allegations against members through investigation and the recommendation to the Legislature of sanctions by the commissioner.



This bill is not only disclosure, it has four very important key components, components which will help us carry out our duties as members, as elected representatives. As such, I stand in opposition to this particular amendment.

**Mr. Chairman:** Mr. Eves has moved that section 21 of the bill be amended by striking out "Members' Conflict of Interest Act, 1988" in the first and second lines and inserting in lieu thereof "Members' Disclosure Act, 1988."

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

La motion est rejetée.

**Mr. Chairman:** Shall section 21 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Section 21 agreed to.

L'article 21 est adoptée.

**Mr. Chairman:** Shall the bill be reported to the House without amendment?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Bill ordered to be reported.

Le projet de loi devra faire l'objet d'un rapport.

**Mr. Chairman:** Mr. Ramsay moves that the committee of the whole House rise and report.

Motion agreed to.

**The Acting Speaker (Miss Roberts):** The committee of the whole House begs to report one bill without amendment and asks for leave to sit again.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Report received and adopted.

À la suite d'une motion présentée par M. Ramsay, le comité plénier fait rapport d'un projet de loi sans amendement.

1600

## MEMBERS' CONFLICT OF INTEREST ACT

### LOI SUR LES CONFLITS D'INTÉRÊTS DES MEMBRES DE L'ASSEMBLÉE

Mr. Offer moved, on behalf of Hon. Mr. Scott, third reading of Bill 1, An Act respecting

Conflicts of Interest of Members of the Assembly and the Executive Council.

M. Offer propose, au nom de l'hon. M. Scott, la troisième lecture du projet de loi 1, Loi concernant les conflits d'intérêts des membres de L'Assemblée et du Conseil des ministres.

**Mr. Offer:** It is my pleasure to make some preliminary comments with respect to third reading of Bill 1. I just indicated in committee of the whole some of the elements which have gone into the design of this bill and also what this bill is aimed and designed to achieve.

I think it is important to reiterate the four key elements; that is, the provision of a clear, comprehensive and objective definition of conflict of interest and also the establishment of a concise code of conduct for all members of the assembly. This bill requires full financial disclosure of the members' interests and the interests of their spouses and minor children. It establishes a procedure for members to receive advice and recommendations from an independent commissioner. It provides for the resolution of allegations against members through investigation and the recommendation to the Legislature of sanctions by the commissioner.

I spent some time in the Legislative Assembly committee as it was dealing with this bill and reviewed the discussions which were had by the members of the assembly and the Attorney General (Mr. Scott). It was and is important through discussion and debate to have attempted to achieve a consensus, because this is a piece of legislation which is not just for the government side but also for all members of the Legislature.

The Attorney General entered into full, open and frank debate on many aspects of this legislation, on the concerns with respect to disclosure, on the concerns with respect to how the whole question of conflict of interest ought to be defined and on time periods, time elements. I think those debates and that discussion were good, needed and necessary.

Whether one has or is able to obtain consensus, we will only know at the end of this day, but it was not for lack of debate, not for lack of discussion of very important aspects of the legislation in the opinion of the members for whom this legislation is designed, designed to help them in carrying out their duties, their roles as elected representatives free from aspersions cast against their integrity.

This legislation is designed to and, hopefully, will achieve a breaking down of the perception that many in the public eye now have. I believe this legislation meets the object for which it was

designed. It fully comes to grips with the aims which have already been indicated by myself. I ask that this legislation be passed by all members of this Legislature, not only by government members but by all members of this Legislature, as a clear signal to all that we know through this legislation the parameters and the ways in which we as elected representatives ought to govern ourselves and are prepared to enact legislation designed to meet our role as elected representatives.

**The Acting Speaker (Miss Roberts):** Mr. Breaugh moves that the motion for third reading be amended by striking out all the words after the word "that" and substituting the following therefor:

"Bill 1, An Act respecting Conflicts of Interest of Members of the Assembly and the Executive Council, be not now read a third time but that it be read a third time this day six months hence."

M. Breaugh propose que la motion soit amendée par substitution, aux mots qui suivent le mot «que», des mots suivants:

«le projet de loi 1, Loi concernant les conflits d'intérêts des membres de l'Assemblée et du Conseil des ministres, ne reçoive pas maintenant la troisième lecture, et qu'il la reçoive d'ici six mois».

**Mr. Breaugh:** Those who are fans of the parliamentary system will know this is what is known in the trade as a hoist motion. It is usually proposed when someone feels it is time to call a halt to the process, just go back to the drawing board and think about it for a while; that there are not just one or two little things wrong, but the process has gone awry.

I believe the reason we should do this this afternoon is precisely that. We were in this chamber some time ago arguing the bill in principle on second reading. I for one have been for some time an advocate of the idea that we need more than guidelines, that there really ought to be legislation which governs conflict of interest. The component parts, I suppose, by anybody's definition, would be a reasonable disclosure process; a reasonable definition process of what is a conflict and what is not; a reasonable provision in there so that people's lives are not totally shut down because they happen to be in the political process; establishing the boundaries as to when someone must divest his interest in a particular business; and going through the process of sorting out all the players, who are the lobbyists, and how one would regulate them.

I think when you do a hoist motion of this kind, you have to give a reasoned argument, so I am going to try to do that. The problem with this bill, as the parliamentary assistant perhaps inadvertently said actually here this afternoon, is that it is essentially a bill which is not designed in the public's interests at all. As a matter of fact, the public is not mentioned once in this legislation. The public's right to know, for example, what the private interests held by a member of the cabinet are, is not once asserted, because it is not here. Not once is there a definition in here of precisely what is meant by a conflict of interest. There is a definition section, but it is such a fuzzified section, so broad in scope, that no one can ever be convicted for that crime.

The perspective brought to this bill is the wrong perspective. This bill, if it had a proper title, would be called kind of a defence mechanism for members, and it is written from that point of view. It provides the members with a commissioner. It provides the members with advice. It provides them with protection. It prevents disclosure. It prevents an opportunity where, really, all members of the assembly would be treated equally. It retains the notion that there is one set of rules for the cabinet and another set of rules for everybody else, and that is very difficult to do.

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For example, when one starts to think through the everyday, practical process of how the bill will really work, for most of us, as I am doing now, most of what we do is done in public. If there is not always television coverage of the process, as we have here in the assembly, it is done off in committee, where at least there is a full Hansard service available. So on most of the occasions when I could enter into a conflict, I have to do so in the public eye, and it becomes then a relatively straightforward matter for me to declare that conflict and to get it on the public record.

For people in the cabinet, that is not true. The tradition of a parliament has all these kinds of secrecy provisions written into it. The cabinet has privacy when it makes its decisions.

The rumour has it that this cabinet has designed some system whereby a cabinet minister can have noted that he or she had a conflict of interest. We do not quite know the specifics of that yet. We do not quite know how that will be done. We know that the cabinet may provide minutes of a cabinet meeting, that there may be provided to the public, at the discretion of the secretary of cabinet or someone of that nature, a



document that says, "This minister declared on this occasion a conflict of interest."

We may well find an occasion when a member of the cabinet who will be accused of a conflict of interest said, "But I left the room." This is not exactly a standard defence used in courtrooms across Ontario, that when someone is accused of a crime he gets off the hook by saying, "But I left the room." But it will be used, I think, repeatedly under this legislation.

There were some interesting aspects of our discussions on this as we went through it. We said initially on our side that there are two or three really basic things that have to be done. We have to use a good public disclosure system. You define all your parameters, but the public has a right to know. This government believes very strongly that the public has no right to know and it has designed a system that will ensure that the public never does know.

We said there has to be provision in this bill for divesting. There must be an occasion when the commissioner, who has knowledge of a conflict of interest, can say to a member or a member of the cabinet, "You must get rid of that investment or that business" or whatever. We admitted quite freely, and I want to put it on the record again today, we do not think this will happen very often. But I do think it is stupid in the extreme to say he cannot say that, because it means the commissioner will be party to the crime. The commissioner will know that someone has a conflict of interest but will not be able to do anything about it.

That is really what this bill is about, because it is not written in terms of what the public has a right to, either a right to know or a right to expect in terms of the performance of cabinet. It is written for the convenience of the cabinet. That is a harsh thing to say, but it is true. The public is not mentioned in this bill because the government did not want the public involved in this. This is all about the cabinet's private business.

It is interesting that when we were in committee discussing whether or not the commissioner should have a right to divest, the Attorney General (Mr. Scott), who is not with us this afternoon, took this position. He said, "Yes, we accept your notion"—this was on one of his days when he was thinking about consensus—"about the commissioner having the right to force a member to divest, but only if you are talking about causing him to give back a gift."

This is the kind of torn, demented psychology that is at work in preparing this bill. You would have the ludicrous situation that somebody who

got a set of gold cufflinks could have an order from the commissioner to give back the cufflinks, but the commissioner would have no right to intervene with a member of the cabinet who made a \$1-million profit on a forest management agreement.

Give me a break here. There is a credibility problem at work to say: "We would accept an amendment that caused the ordinary members to give back presents. That is fine. But we will not accept an amendment that allows the commissioner to say, 'Here is a major conflict of interest and the minister must get rid of his timber industry.'" That is what this bill says.

There was a lot of time and effort put in by whoever drafted this bill to find ways around the law. There is nothing in this bill that would ever be a conflict of interest; nothing. Members of the cabinet, for example; although we had some discussion about this in committee, it was generally held in previous governments around here that members of the cabinet could not do business with the government of Ontario. This bill facilitates that. This bill facilitates members of the cabinet doing business on a regular basis with the government of Ontario with virtually no restrictions. In essence, it says, "If anybody else can do it, a member of the cabinet can do it."

Now there is a sick mentality here somewhere. Somebody over there honestly believes that by writing it in this bill and using its majority to pass it, this is going to get people off the hook. This is going to last about two days until somebody uncovers an occasion when a member of the cabinet does business with the government of Ontario. I say a couple of days because we already know that is true. It was the focus of questions during question period today, and I imagine we will hear that repeatedly.

The fact this bill says that is OK is not going to make one whit of difference to anybody. The government may think that opposition members are going to accept the notion. I imagine the Attorney General and the Premier will stand up and say, "There is Bill 1. Bill 1 is the bill that allows us to do business with the government," and think that people over here are dumb enough to accept that and be silenced. No one on this side will be. No one in the public will believe them. They will look like idiots.

We talked at some length about the need to register lobbyists, but in every other jurisdiction that we looked at that was serious about this matter, there was a need to identify in some way who the players are in the system. In the conflict hearings that this assembly had in the last year or



so, much of the discussion centred on that. Much of the discussion centred on the notion of who lobbied the government of Ontario for what grants, who got financing from the government of Ontario and what were their relationships with members of the cabinet. The Attorney General says, "Yes, but that is a real big problem and we will do that later on, maybe." That is about as far as we got with that one.

I do not think for a moment that this is going to hold water. The government may suggest it will bring in some bill that will register a lobbyist. We understand there are problems with that, but we are arguing that they have to make a start at it and it has to be part of this bill.

They may say, and I imagine they will, when the scandal is uncovered, and it will be, when somebody in the cabinet had a spouse who was representing a huge development industry investment and wants money from the government of Ontario—when that scandal is uncovered, and I suspect it will not be too long before something of that nature will be uncovered, somebody will stand up and be stupid enough to say: "But here is the conflict-of-interest bill and it is not mentioned in there. We did not register lobbyists, so it must be all right." That does not remove the problem. The problem remains.

The Attorney General in committee, I think, understood that. It struck me that he was not giving us much of an argument that at some point in time the government has to do some kind of identification of who lobbyists are and what they are allowed to do. They will need to have, at some point in time, a registered list of lobbyists. In a strange way, that is recognized in the bill itself. There is an indication in the bill that when people leave a cabinet, they should not go out and set up shop and then do business with the government and trade on all their friendships.

But it is generally accepted in the Legislature itself that this is now a growth industry in Ontario, as it is in Ottawa. People who are part of the political process until not too long ago are now in the private sector working for companies and basically selling their knowledge of the process, their contacts, people they know, how governments work. Magazines are full of articles about these power players who introduce their clients to members of cabinet, deputy ministers, people who make important decisions. There is kind of a wink and a nod in here that this is a bit of a problem, but it really does not do very much.

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I thought initially that both opposition parties were not exactly outrageous in their demands,

that there was a relatively short list of things that we thought needed to be put into this bill. We worked fairly diligently to put together the amendments, and I think no one was very dogmatic during the course of the committee proceedings. People were looking for some kind of consensus on how you would go about that. We were looking for common ground among the three political parties because we believe it is important that this bill be done by consensus.

The parliamentary assistant inadvertently said it in here again this afternoon, but it is very tough to believe that the government tried to move by consensus when it repeatedly rejected amendments proposed by either one of the opposition parties all the way through the process and when to this day it refuses to accept any amendment of any substance at all.

You cannot argue convincingly that you really want a public disclosure system but it does not really tell anybody anything. The mismatch between fact and fiction becomes startling the moment someone looks at the disclosure statements.

You cannot argue that you do not need to register lobbyists, but we need to know who the lobbyists are. How are you going to find that out if you do not put a list up somewhere? How are you going to determine who they are?

You cannot argue that the commissioner should be in possession of information where he establishes what is a conflict of interest but he cannot do anything about it. That is like putting our police officers out on the road with the Highway Traffic Act under their arms but they are not allowed to stop anybody for speeding. That is silly, and that unfortunately is what this bill is all about: a great deal of silliness, a great many untruths, a great deal of fraudulent activity.

I am pleading with the government this afternoon to very simply put this on hold, think about it for a while, wait another six months and try it again, try for consensus. It will be an indication, I think, of whether this government intends to simply proceed with its arrogance and put this bill through this afternoon. I am going to tell you now that they can do that, without question—we all know that—but they will not get away from the allegations and they will not get away from conflict-of-interest problems that are inherent in what they are trying to do here.

In the court of public opinion, which is the one that really counts, they will find this quite an incredible process. I want to caution them again that they should be learning from our federal



government. There is an indication that conflict of interest has been an ongoing, continuing, serious credibility problem for the federal government with its huge majority, and this government is going to encounter the same things, except it is going to make it worse because the bill it is trying to get through the Legislature this afternoon is basically, in my opinion, a fraudulent attempt to parade something as one thing when it really is quite another.

Those are harsh words that I do not use very often, but I believe that, inadvertently or otherwise, this bill is written for the convenience of this cabinet. I do not very often get to that harsh a judgement in a hurry, and I did not on this one.

Frankly, when the legislation was introduced, I believed it was written from the wrong perspective and there were some missing parts, but I seriously believed that we could go to committee and there we would gather the consensus, we would make the adjustments that were required and we would provide for the Legislature on its final reading a piece of legislation that would not be perfect but would be a good first step in terms of legislative action to deal with a very complicated, serious problem.

This is nowhere near that. That is why I really think that, although a hoist motion is one we do not use a great deal around here, it would be a great exercise in common sense for the government this afternoon to simply say: "Wait a minute. If we haven't got anywhere near consensus on this, maybe it is just misunderstanding, maybe our intentions were misunderstood, maybe we could accommodate."

There is no question in my mind that this government could have accommodated with ease most of the amendments that were posed in committee by either of the two opposition parties, because there was nobody in there saying, "It's got to be exactly this wording." Everybody was in there saying, "Here's what we want to do, this is what we think is important and we will accept any kind of wording you want." Time and time again, the government said, "Nuts to you."

That is the government's right, I suppose, but I am going to point out to it this afternoon that I believe that to be a serious error. I believe this government would be well served this afternoon if for one afternoon we all just kind of took off the partisan coats and said, "Listen, this really does not have to do with party politics. This has to do with the credibility of the political system in Canada," which I believe to be seriously

undermined by the public not really feeling secure in the knowledge that there is a level of conduct, a code of ethics at work in Ottawa or even here at Queen's Park. I note that it has not escaped the municipal level.

There are things happening, which are getting reported in the newspapers and on television, that have really shaken the public's faith in the political process. We as legislators need to take steps now to reassure them. I note with great sadness that this bill does not even give the public a look into the system. It does not even talk about the public's rights. It only talks about what the members can do. It provides a process that protects the cabinet.

I do not object to that. I do not object to the commissioner being around to advise the members on all kinds of things, but surely somewhere in here the government could have found a couple of lines to indicate that it thought the public had some right to know. Surely the government could have found a little bit of time in here to indicate whether it thought registering lobbyists as an industry was a serious problem or not. If some members of the assembly felt it was, if members felt there was a need on some occasions to establish the power of the commissioner to cause a member of the cabinet to divest his interest in a particular firm, we ought to have included it in this kind of legislation.

We are all saying that it will not happen every day; it will be a rare occurrence, and the general idea is not to have it ever happen. But surely—and I think the Attorney General admitted this in committee—members understand that if the commissioner finds there is a conflict he has to be able to say, "You must sell off that business" or "You cannot do business with this ministry."

What this bill does—in many senses, it is a very devious little piece of legislation—is provide the weasel words that will allow members of the cabinet to do business with the government of Ontario, to line the pockets of their friends and be able to stand up in the assembly and say, "But, technically, it does not violate the bill."

But conflict of interest is not about technicalities; it is not about filing pieces of paper; it is about ethics. Maybe that word was so alien to the government that it could not find it in its vocabulary, but it should have. This bill should be all about common sense, and it is not.

We have gone through a cycle in Canadian politics where it used to kind of be the code of the west. Premier Davis, Robarts, Frost and people like that had a certain stature, a certain aura about them. It was a generally accepted feeling that,



"These are very honourable people, and we have a very strict code of behaviour for members of the cabinet. They would never do anything wrong and if they did we would throw them out that very day." I think, by and large, the people of Ontario generally accepted that.

I think that is long gone. I do not believe we will ever again establish that kind of faith in the process, that kind of belief that there is a whole lot of integrity in place. Maybe that was misdirected. I really do not know. Maybe it is just coincidence that there are all of these front-page stories about conflicts of interest at almost every level of politics in Canada that you could think of. Maybe it is just all aura; the stars are in the wrong place and it is all happening all at once. Maybe it is just that there is a lot more information out there, that people can dig this up, that it is not the private club any more that it once used to be. Maybe that is quite good.

But I do know this legislation is seriously flawed. It has some basic faults to it. Members can pass it, but they will pass it at their peril this afternoon. God forbid, if they were wise, if they had any common sense, if they as individual members had the guts and the brains to say, "This has to do with me and whether I am a decent human being trying to do a good job here," maybe they would all individually stand up and say: "That is not a bad thought. Let's think about this for a little while. Let's put this on hold for a while."

The world will not come to an end. The process, as it is laid out in this bill, is in operation anyway. The government had the temerity to implement the legislation before it passed it, which was perhaps an indicator very early on that we should have known things were going off the track here. It is the first occasion on which I have ever seen any government in this building implement a law before it even introduced it in the Legislature. That takes a lot of chutzpah. It has got that, but I do not think it has the brains to go with it. I believe it should have taken all the warning signs that this was not a sensible way to proceed, that this bill is seriously flawed.

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I believe this afternoon the government would do itself a great service by saying: "Let's just pass a little motion here that says we will hoist this bill for a six-month period and we will think about what we tried to do. We will think about the number of ways in which we could accommodate all the members in the assembly. We will think about whether this is really a bill which deals with the things that ought to be dealt with: the

public's right to have a decent, honest form of government; the public's right to have a reasonable mechanism to rectify it when things go wrong."

This should not be as it is. This is a bill to make things easy for the cabinet. This is a bill to cover up political problems. This is a bill which will facilitate the members. It should not be. This ought to be a bill which addresses itself to, I believe, a very real need in Canadian politics at almost every level I can think of, and absolutely no one has escaped it so far. The government would be well served to take our advice this afternoon and hoist this bill for a six-month period.

**The Acting Speaker (Miss Roberts):** Does any member have any comments or questions on the remarks made by the member for Oshawa? Would any other member like to participate in the debate?

**Mr. Eves:** I would like to rise on behalf of our party and support the motion made by the member for Oshawa. I think it is a very valid motion and I think the members opposite, on the government side, should give some thought to the suggestion the member for Oshawa is making, that this bill be set aside for some six months and perhaps rethought. Many of the points the member for Oshawa makes are very valid and I think this piece of legislation indeed will come back to haunt this government in the weeks and months ahead.

I would like to reiterate a few comments I made with respect to the title of the bill and then go on to the basic improvements we think generally should be made to this piece of legislation. Throughout the hearings of the standing committee, the Attorney General consistently referred to this bill as "the toughest disclosure legislation in North America." It is interesting to note that the Attorney General never once referred to this bill as the toughest conflict-of-interest legislation in North America. It may arguably be the toughest disclosure legislation in North America; however, it is not the toughest conflict-of-interest legislation, not by a long shot.

By adopting the provisions of this bill as the guidelines for the cabinet last fall, the Premier allowed four of his cabinet colleagues to sit in cabinet who, interestingly enough, would be ineligible to be cabinet ministers under the 1972 Bill Davis guidelines and, very interestingly enough, would not be eligible to sit as members of cabinet in many other jurisdictions right here in Canada.



Members who would be allowed to sit in cabinet in Ontario under this bill would not be allowed to hold a cabinet position in the federal government in Ottawa, in British Columbia, Alberta, Saskatchewan, Quebec, New Brunswick, Prince Edward Island or Newfoundland. In fact, some of them would not even be eligible to sit as members of the Legislative Assembly in Alberta.

The Premier says he hopes this legislation will help restore public confidence in the integrity of politicians. However, it is difficult to understand the relationship between integrity in office and merely telling everybody what one owns.

As I stated earlier, our party in committee tried to move amendments which would, one, make the bill tougher or more preventive of acts of conflict of interest, something this bill does not do; two, provide for divestment on the part of members of the executive council of financial interests in companies doing business with the government; three, eliminate conflict inherent in the commissioner's role, as both an adviser and an investigator; and four, restructure the bill to more accurately recognize and reflect the differing roles played in the parliamentary process by ordinary members of the Legislature, by parliamentary assistants, by cabinet ministers and by senior public servants.

Every one of these amendments was defeated by the Liberal majority on the committee, in spite of the fact that Mr. Aird, the acting commissioner, agreed with the need for many of them.

I would now like to review the changes we wanted to make to this bill and our objections to the piece of legislation as it now stands. We wanted to, first, make the bill much tougher on and more preventive of acts of conflict of interest and, second, provide for divestment of financial interests in companies doing business with the government on the part of members of the executive council.

Under the bill as it now stands, a member can financially benefit from the public purse while he or she is charged with the responsibility of safeguarding that public purse. Even in terms of disclosure on this score, the bill is flawed. While a member must disclose his or her financial interest, he or she has no duty to disclose that as a result of his or her financial interest, the member is profiting from the public purse.

The commissioner, in his report of last fall, identified this loophole in the disclosure requirements as a flaw in this piece of legislation. In his appearance before the standing committee, the acting commissioner agreed that in certain

instances, divestment of financial interests on the part of cabinet ministers would be absolutely necessary, in his view, absolutely necessary.

When we discussed the need for divestment in standing committee, the Attorney General said it was not necessary to include such a section in the bill because section 10 of the Legislative Assembly Act prohibited any member of the Legislature from having financial interests in companies doing business with the government. I would suggest that the Attorney General stopped reading too soon. He should have continued on to read section 11 of the Legislative Assembly Act. This section outlines so many exceptions to that rule that I am sure—and I am sure the Attorney General knew this as well—one would have difficulty in thinking of an actual case which would not qualify as an exception under section 11.

When I suggested to the Premier here yesterday, asking the Premier this question in the House, he refused to give a commitment to the Legislative Assembly and to the public of Ontario that he would see to it that these loopholes and exceptions outlined in section 11 of the Legislative Assembly Act be eliminated or done away with. Yet our amendments to close this disclosure loophole and provide for divestment were defeated. The bill does not address the need for members of government to maintain public confidence in government by refraining from entering into situations where there would be even an appearance of a conflict of interest, particularly situations in which the public would perceive there to be a bias in decisions made resulting from a personal interest on the part of the decision-makers of government.

Our amendment to address situations of apparent conflict of interest was also defeated. Apparent conflict of interest is an issue that was dealt with at some length in Judge Parker's report with respect to the Sinclair Stevens inquiry. I note that when we mention Sinclair Stevens in this assembly, many government members snicker and giggle and laugh. I am not here to defend Sinclair Stevens but there are four members of the executive council sitting on that side of the House today who have a much more direct conflict of interest than Sinclair Stevens ever had, but because they write the bill to include their conflicts, that is hunky-dory. That is just fine. As soon as they get their 94 members in here and bulldoze this legislation through, they are going to be fine. That is going to be the standard of conduct in the Ontario Legislature.



This bill provides that members must disclose when they accept a gift over \$200 in value as part of their duties of office or social obligation. However, the bill then allows the member to keep the gift. Once again, the emphasis is on disclosure but not preventing or doing anything about the actual conflict of interest. We introduced an amendment to require that the member return the gift, or turn it over to the province. That amendment was defeated. We encouraged the Attorney General to come up with a government amendment to allow the commissioner to direct what happens to such gifts. That amendment was also defeated.

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Third, we proposed to eliminate the conflict inherent in the commissioner's role, both as an adviser and an investigator. Currently, the commissioner must both advise members and then investigate any complaints made under the act. This puts the commissioner in somewhat of a conflict himself. It puts the commissioner in a position of having to decide instances of conflict of interest on matters which he originally advised the member on. It is like being a lawyer on one side of a case and putting on your other hat and being the judge on the same case.

Such a situation flies in the face of established principles of justice as we know them in this country called Canada. Yet our amendments to separate the roles of adviser and investigator by providing other vehicles for advice and by granting the commissioner an expanded investigative role were all defeated.

Fourth, we suggested that we restructure the bill to more accurately recognize and reflect the differing roles played in the governmental process by ordinary members of the Legislature, by parliamentary assistants, by members of the executive council and by senior public servants. I have had the honour and the opportunity to have been an ordinary member of the Legislature, a parliamentary assistant and a member of the executive council, and I know what potential conflicts of interest are and how those conflicts are different for every single one of those situations. They are not the same.

It is my belief that the conflict-of-interest bill should reflect these realities of government and how it works, if it is going to be effective. The gap between reality and this bill as it now stands is so great that I cannot decide whether the government simply does not want the bill to be effective or whether some of the Liberal members opposite just have not figured out yet quite

how the government system works here at Queen's Park.

Let me explain to them, just in case the latter is the case. The cabinet ministers and parliamentary assistants are appointed by the Premier; they are not elected by people, as ordinary members of the Legislature are. Whether they hold that office or remain as back-benchers is solely in the discretion of the Premier of this province. Yet nowhere in this piece of legislation is that very basic fact recognized. Nowhere must the Premier who appoints those people accept responsibility for his decisions on who gets those positions of power and who does not, or for the integrity of those people he chooses.

Our amendment to rectify this situation was defeated, which brings us to the reason that we need this kind of legislation in the first place, which is because we have recently discovered here in Ontario that it is quite possible to have a Premier who refuses to accept the responsibility for his choices to the executive council, one who cares not to enforce his guidelines on conflict of interest. Even under the section in which the commissioner can recommend penalties, the basic fact of government is overlooked.

The commissioner can recommend to the Legislative Assembly that a seat be vacated or that the member be reprimanded, but the Legislative Assembly cannot remove a member from the executive council or reprimand that individual. Only the Premier can do this because only the Premier can appoint that individual to the executive council. The members of this Legislative Assembly can vote from now until the end of time. They simply do not have the authority to remove an individual from cabinet; only the Premier of this province has that authority.

I know from my experience, and the Premier and the Attorney General should certainly know from theirs, that an ordinary member of the House seldom, if ever, is involved in making decisions that affect the public purse. The parliamentary assistants can, if their ministers so choose, become very involved in such decisions and the cabinet ministers are always involved in such decisions. While the Attorney General seemed to admit this reality in committee, he does not seem to believe that his piece of legislation, this Bill 1, should reflect it. Because parliamentary assistants are not always involved in such decisions, the Attorney General says that they should not be covered by the stricter requirements established for members of the executive council.



If the Attorney General were really interested in a strict conflict-of-interest piece of legislation, he would have included parliamentary assistants with members of the executive council because of those instances when they are involved in decisions affecting the public purse, not left them out because there are times when they may not be. Yet our amendments to achieve this were also defeated.

Our amendments to extend this bill to cover senior public servants were ruled out of order. At that time, I pointed out that such persons were clearly political appointments. They were more involved in decisions affecting the public purse than ordinary elected back-bench members of the Legislative Assembly.

I invited the Attorney General to bring forward amendments to the Public Service Act to recognize this reality. He has failed to do so. Once again, he either cannot recognize the realities of government or he is not as interested in protecting the public interest as he would appear to be.

There are great flaws in this piece of legislation and they have put our caucus in a somewhat awkward position. Because of the recent behaviour of the Premier we are acutely aware of the need for legislation in conflict of interest. The public interest in this regard cannot be left to the moral whim of the Premier of the day. We have seen that happen all too often in recent months here.

However, this bill, if it goes through—and I am sure it will with the arrogant majority over there ready to vote—will allow situations to exist in Ontario which in most other jurisdictions of Canada would be considered to be a conflict of interest and prohibited either by law or by guidelines.

I suppose that by voting against this bill we run the risk of having our vote misconstrued. It might be claimed we are not interested in conflict-of-interest legislation. But we have decided we must take that risk because we cannot bring ourselves to vote, like the member for Oshawa and his party cannot, for a bill which allows situations which would be considered conflict of interest in most other jurisdictions in Canada to be readily acceptable and approved by the stamp of legislation here in Ontario.

The people of Ontario deserve the same protection as people and citizens in jurisdictions in other areas and parts of Canada. They have the right to expect the same degree of integrity on the part of their public officials. I can remember a time when Ontario was thought to be a leader in

almost every single piece of legislation it ever introduced. We do not seem to have that same distinct spirit, that initiative, that desire, with this government.

If we in Ontario and the legislative members of this assembly are going to pass a conflict-of-interest piece of legislation in this assembly, in my opinion, it should be the toughest in Canada, bar none. What we are finding here is a disclosure bill, with respect to ordinary members of the Legislature, and our party simply cannot support a piece of legislation which provides members of the executive council with a lower standard than they have had to adopt here in this province since 1972.

It is for these reasons that we will be supporting the motion of the member for Oshawa. I think it is an interesting motion. I congratulate him on his initiative and I think this is one time that the members opposite should sit down and think about not voting according to the party line. There is a lot of truth in what the member for Oshawa said and perhaps we should rethink this piece of legislation and permit us the time to do so.

**Mr. Offer:** I rise in opposition to this so-called hoist motion. I would like to respond to some of the comments that were made by both the member for Oshawa and the member for Parry Sound (Mr. Eves).

I think the member for Oshawa indicated that I had, and indeed the Attorney General earlier had, inadvertently indicated our attempt to obtain some consensus. That is not an inadvertence. That is an advertence that is something which we have attempted to do through debate, through full and open discussion of many different aspects of this legislation. It is not by inadvertence that one has stated that one wished to have some consensus.

**1650**

The member has indicated once more the question of lobbyists and has also alluded, I think, to the public servants issue. When that came up in the committee, I believe it was indicated that, yes, this might be an area where further discussion and further work may be necessary. I believe the member for Parry Sound indicated that today with respect to the Public Service Act. But it was also indicated that this is not the piece of legislation for those matters to be founded on. This is a piece of legislation which deals with, and I will read the title, An Act respecting Conflicts of Interest of Members of the Assembly and the Executive Council.

It is a piece of legislation which talks about our actions as members of the assembly and the executive council. It is in other areas where one should talk about lobbyists and public servants. We do not mean to say that is not important because it is, but it is not proper for this legislation at hand.

The member has alluded to problems that are currently before the federal government. There is no question about that, but of course one wishes to reiterate that that particular government does not have legislation at hand and it is for this reason that it is working, I would imagine, to get legislation such as possibly the legislation we have here.

This is legislation which has a long history. It might have had its beginnings in 1972 when Premier Davis first issued guidelines. It was carried forward in 1985 with the guidelines of the present Premier. We cannot absent ourselves from the knowledge of those provisions of the Legislative Assembly Act and indeed of the Criminal Code.

This legislation has a long evolution and it is here before us now. It has gone through a great deal of discussion, a great deal of debate, a great deal of work in order to get this legislation here at hand. It is for us as members of the Legislature to vote on this legislation today. It is for this reason that I stand against the motion brought forward by the member for Oshawa.

**The Acting Speaker:** Pursuant to standing order 59(a), the first question to be decided is, shall the bill be now read a third time?

1714

The House divided on whether Bill 1 should now be read a third time, which was agreed to on the following vote:

La motion de troisième lecture du projet de loi 1, mise aux voix, est adoptée:

#### Ayes/Pour

Adams, Ballinger, Beer, Black, Bossy, Bradley, Callahan, Campbell, Caplan, Carrothers, Chiarelli, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Daigeler, Dietsch, Eakins, Elliot, Elston, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Haggerty, Hart, Henderson, Hošek, Kanter, Keyes, Kozyra, LeBourdais, Leone;

Mahoney, Matrundola, McClelland, McGuigan, McLeod, Miclash, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Oddie Munro, Offer, O'Neil, H., O'Neill, Y., Patten, Pelissero, Peterson, Phillips, G., Poirier, Polsinelli, Poole, Ramsay, Reycraft, Riddell, Rup-

recht, Scott, Smith, E. J., Sola, Sorbara, South, Stoner, Sweeney, Tatham, Ward, Wilson, Wong, Wrye.

#### Nays/Contre

Allen, Brandt, Breaugh, Bryden, Charlton, Cousens, Cureatz, Eves, Farnan, Hampton, Harris, Johnson, J. M., Johnston, R. F., Laughren, Mackenzie, Marland, Martel, McCague, McLean, Morin-Strom, Philip, E., Pollock, Rae, B., Reville, Runciman, Sterling, Villeneuve, Wildman, Wiseman.

Ayes/pour 77; nays/contre 29.

1720

House in committee of the whole.

#### ONTARIO AUTOMOBILE INSURANCE BOARD ACT

Consideration of Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates.

**Hon. R. F. Nixon:** Mr. Chairman, on a point of order: The member for York Mills (Mr. J. B. Nixon) is going to be speaking for the ministry in answer to the positions taken by the honourable members in the House. I wonder if it would be acceptable if he took a more convenient seat, let us say about where I am here, so that perhaps the staff of the ministry might be able to come on to the floor to assist in the discussion.

**Mr. Chairman:** Regarding Bill 2, are there any questions, comments or amendments and, if so, to which sections of the bill? Will those people who want to bring amendments please rise.

**Mr. Farnan:** I have an amendment to section 3 of the bill, to add subsection 3(1a).

**Mr. Chairman:** Are there any other sections that members would like to consider?

**Mr. Hampton:** I have two amendments to section 11 of the bill, subsections 11(4a) and 11(4b), an amendment to subsection 12(1) and an amendment to add section 14a.

**Mr. Chairman:** Do members wish to bring other amendments and, if so, to which sections? Does that complete the list? If that is the case, shall sections 1 and 2 carry?

Sections 1 and 2 agreed to.

Section 3:

**Mr. Chairman:** Mr. Farnan moves that subsection 2 of section 3 of the bill be amended to read:



“(1a) At least one half of the members of the board shall be members of consumer associations or persons representative of the interests of consumers.”

**Mr. Farnan:** I think this amendment is a very critical and important one if this bill is to have any credibility with the people of Ontario and with the consumers, the drivers of Ontario, to whom it applies. Very early in the hearings, I gave notice that I would move this amendment because I thought it was critical. I can recall the Consumers' Association of Canada, in what I thought was a vital statement, had this to say—they were speaking to the committee and, through the committee, they were speaking to the government—“We have ignored the Slater report, we have given the ball back to the industry.”

Frankly, my friends, it frightens me when a group representing the Consumers' Association of Canada has the perception that what is taking place is the status quo. Is that what this bill is about, simply to leave things as they are? The reason we are here and the reason we are looking at this bill is because there was a tremendous dissatisfaction among the drivers of Ontario. The perception was that they were being ripped off. It was a perception and a reality, a reality that dug into their pocketbooks in ever-excessive premiums. This issue was not an issue that the New Democrats invented; it was an issue that was crying out to be addressed, and we focused the issue.

It appears that the government, in approaching an election, came up with a situation it hoped would quell the flames. I say to the government that if this bill goes through, what we are going to see is simply a continuation of the escalation of premiums and the drivers of Ontario continuing to be ripped off.

During the committee hearings, I heard much about having a window on the industry and how we need a window on the industry because it has been impossible to examine the statistics, to examine the facts, to get the insurance companies to come forward with the real facts. But there is no point having a window to the industry if the only one allowed to look through that window is the insurance industry itself. The window only makes sense if the consumers of Ontario can look through that window, see the facts and feel that the premiums are being justified.

What has happened with this bill, as the Consumers' Association of Canada has said, is that we have given the ball back to the industry. The industry will be the people who are represented on this board and the consumers will

not have the kind of representation that is required.

**1730**

I heard some rather extraordinary statements made during the course of the committee hearings. The member for Kingston and The Islands (Mr. Keyes) and the member for St. Andrew-St. Patrick (Mr. Kanter) had this to say, “In a sense, everybody is a driver, so no matter who we put on this committee, the consumers are being represented.” What absolute hogwash to suggest that the president of an insurance company, simply because he drives a car and pays a premium, is somehow going to be protecting the interests of the consumers of the province in the area of insurance. He is in the business of looking at the profit margin, not at what are fair and equitable premiums for the drivers of this province. This is the fundamental weakness of this bill.

I draw the members' attention to the wording of the bill in the section that we are debating. “The members of the board who are not crown employees shall be paid such remuneration and expenses....” My apologies, I have the wrong section here. I will come back to this particular item as soon as I have the wording in front of me.

Right now, I want to talk about the principle that is at stake. It is critical that we have consumer representation and that we do not simply have a situation where the majority of the people on this board are appointed on the principle, for example, that was expounded that we need people who have experience in the industry. I think we need people who have experience with the industry as well as in the industry. There are two sides to this coin and it is very important that the consumers be equally represented.

At the rate review board, the insurance industry is going to use all its clout, all its power and all its financial resources to have its point of view carry. The consumers, the drivers of Ontario, are going to pay for the very high-priced legal and financial advice that the insurance companies will have as they address the board. The reality of the matter is that the consumers, the drivers, are going to pay the bill for the insurance companies' advocacy before the board and they are also going to pay for their own advocacy, but they are going to be appealing to a board that is already loaded against them.

There is precedent in other legislation. I think if we look at legislation like the Public Service Superannuation Act, the Labour Relations Act, the Ontario Drug Benefit Act and the Funeral



Services Act, we can see in all of those cases a situation where the consumer or the various parties who will be affected by the bill are represented in a significant or equal manner.

From time to time as delegations came before the committee I asked them a very simple question. It will be recorded in the committee minutes and it was recorded also on the road. The question I asked the delegations was, "How important is it to you that we have significant consumer representation on this board?" Without exception, the answer was: "Yes, it is very important to have consumer representation. Unless that representation is there, we cannot have any faith, we cannot believe, we cannot hope that justice will prevail within this board."

There are so many groups out there who are discontented, who are uneasy and who have a sense that what was going on was unfair and they just could not find out what was going on, but the premiums told them indeed that there was a real problem. The hope was that this bill might address in some way the problems that existed, but believe me, the way this bill reads right now, that "The members of the board shall be representative of insureds, the insurance industry and the public," says absolutely nothing. They are words that give no guarantee to the consumer.

The difference in the wording that I am putting forward on behalf of the New Democratic Party gives the confidence and assurance to the consumers, the drivers of Ontario, that there might be some fairness, that at least half the members of the board shall be members of consumer associations or persons representative of the interests of consumers. Indeed, some of the consumers said when these appointments are being made—and they would be made by the government—these people should have some experience, they should have some knowledge and there are people out there representing consumers who do have experience and knowledge.

This government is really slapping the drivers of Ontario in the face when it says, "We are going to do something about this," and then comes up with a charade, because this is what it is. It is a charade. The government is saying to the drivers of Ontario: "Trust us. We are staying with the status quo. The insurance industry will continue to dominate the board, and we will have a window and the people looking in the window will be the Liberal government and the insurance industry." Well-met, good companions, loyal servants of the government; the insurance industry will indeed be very happy that the only people

looking in the window with them is the government. Because when you look in that window and see the profits continue to rise, it will be: "Nudge, nudge, wink, wink. We have a fair system. We have a window. We are looking in the window. Everything is fair." But, indeed, the drivers of Ontario will know it is not fair because their insurance rates will continue to escalate and continue to skyrocket.

My friends, it is a simple principle. It is a principle of honesty and it is a principle of integrity. When you have an arbitration hearing and you go to that hearing, at least you want to feel the system is fair. That is what you want. So, in most arbitration hearings, you get a system where the two people who are going before the arbitrator have the ability to choose one lawyer each or one judge each and then the two of those judges will pick a neutral member and hopefully, you then have a fair hearing. I think the drivers of Ontario would feel they were having a fair hearing if they were guaranteed that they had consumer representatives in significant numbers, equal to the numbers appointed by the insurance industry. Then, of course, there would be some fairness.

I have never personally believed that what we were trying to achieve with this bill was fairness. What we are trying to achieve with this bill is to quell a fire. Even if the unfairness continues to exist, the principle is there. The people of Ontario are looking at this government and making a judgement of this government. I think most people will accept governments making mistakes. I suspect the people of Ontario are getting used to that now, but most people will accept governments making mistakes as long as they feel there is some honesty and integrity in the process.

The one thing the people of Ontario will not, should not and need not take is a government that attempts to hoodwink them, a government that says to the people of Ontario: "Hey, trust us. We'll have a board. We'll put on the insurance interest. We may have a token member of the consumers' association." Is that not grand? We will have somebody and we will be able to say, "Yes, this is a member of the consumers' association." We will be able to say, "Yes, the president of this insurance company drives a car and he pays premiums and he really is a consumer." That is not going to wash.

1740

The whole bill, in my view, sinks or swims on the integrity of the principle of fairness of representation. I am sorry to say that on honesty,



integrity and fairness, with this bill this government has failed. It has sent the message to the consumers, the drivers of Ontario that yes indeed, this is the payoff for the insurance industry support that was there for Liberals during the election, that was faithful to them during the election, that dropped off its propaganda into the mailboxes of candidates that were opposing the Liberal candidates. This is the handing over of the dollars, which says: "Guys, you stood by us when we needed the support. We will stand by you now. Your profits are intact, they are guaranteed, they will increase. The consumers, the drivers of Ontario? Did we ever do a number on them."

**Mr. J. B. Nixon:** Just a couple of preliminary remarks before I respond to the member for Cambridge (Mr. Farnan) and his motion. I would just like to say that the bill before us today, as all members know, provides for the establishment of an independent automobile insurance board and for a regulation to introduce a mandatory, uniform, industry-wide classification system for automobile insurance rates. I wanted to say that to remind the members opposite, particularly in that direction, why we are here.

We have recognized that this legislation constitutes substantial reform for the automobile insurance industry and therefore merited full consideration through public hearings, clause-by-clause review and debate by all members.

Bill 2 has now had the benefit of opinions from the public and comprehensive review from the standing committee on the administration of justice.

I would personally and on behalf of the ministry like to thank the committee members for the thorough scrutiny they have given the bill. As a result of this process, the bill did undergo a number of changes which we believe have improved the legislation and I think all members who sat on the committee would agree.

Bill 2 will bring public accountability and greater fairness to automobile insurance rates. As such, it is deserving of the support of all members of the Legislature. I would like to respond in that context to the member for Cambridge and remind all the members of this committee that the proposal of the government is that there be on the board representatives of the insurance industry—yes, as he proposes—of insureds, consumers of the automobile insurance product, and the public.

The language we have used is very similar to the language used in the Workers' Compensation

Board legislation and other legislation in this government.

Interjections.

**Mr. J. B. Nixon:** They like that one.

I would suggest to the member that notwithstanding the argument he heard in committee, he has failed to amend his proposed motion. Valid questions, I think, were put to him, such as: What is an appropriate consumer association? Who appropriately represents that consumer association? Who represents consumers? I believe my friend the member for Rainy River (Mr. Hampton)—

**Mr. Harris:** Not your party.

**An hon. member:** Not you.

**Mr. J. B. Nixon:** Not me, no. The member suggested that all the bodies we would consult with would have a veto on our appointments. Let me tell the member, because he may have forgotten, that back on April 23 when the then minister, the member for Wilson Heights (Mr. Kwinter), announced this legislation, he said he would be consulting with a variety of groups, including consumer groups, user groups, industry-user groups, taxicabs, for instance, to seek their advice on various appointments. I can tell the member that process is under way. We think the people on the board should represent a wider interest than just the particular interest of the insurance companies or the insureds.

There are a variety of people who may be appointed from a professional background, actuarial, legal, whatever, who will be useful to the board but do not specifically represent the interest of an auto insurance company or an auto insurance consumer. If the member's motion was accepted, I think we would be faced with the kind of debate in this House that does not serve anyone well when we debate an individual's point of view and the appropriateness of his position and who he represents. I have seen it in this House in my brief career and I suggest that is what would follow.

In any event, the government does not need to be bound by a rigid formula or definition of who should sit on this board. I have more faith in this government and its appointments policy, which I think has been exemplary. I do not share the same doom-and-gloom expectations that the member does that there will be a series of auto insurance company presidents sitting on the board. The government will make its decision, and I feel confident as a private member in telling the House that it just will not be that way.



**Mr. Runciman:** I will make a few brief comments on the amendment. We are not going to be supporting the amendment.

Interjections.

**Mr. Runciman:** Surprise, surprise.

**Mr. Breagh:** I was worried there for a minute.

**Mr. Runciman:** I missed the parliamentary assistant's comment, so I may be repeating something he said with respect to the amendment, but one of the concerns that was expressed when this amendment was put forward at the committee hearings was the fact that we have heard—I think it was pointed out quite clearly during the committee hearings—concerns respecting really who indeed are consumers' associations.

We had an instance where we had a front organization, if you will, appearing before the committee. Upon questioning by myself and the member for Kingston and The Islands (Mr. Keyes), it was determined that the individual who supposedly was representing a consumers' organization concerned about auto insurance rates was actually representing himself and the New Democratic Party of Ontario. Surprise, surprise, surprise.

**Mr. Breagh:** He probably worked for the CBC too.

**An hon. member:** For the Canadian Security Intelligence Service.

**Mr. Runciman:** In any event, I think we have some valid concerns and I think the government had some valid concerns with respect to the kinds of groups or so-called organizations who were indicating that they were representing consumers' interests in this province.

I personally have a great deal of difficulty even with the well-established organizations which indicate that they are representing the best interests of consumers in this province and I expressed that view when the Consumers' Association of Canada appeared before the committee during the hearing process.

I certainly do not doubt the sincerity or the motivation of the individuals who involve themselves in that organization, but I do not for a moment believe that in all instances they are indeed representing the interests or the viewpoint of the majority of consumers in this province, let alone across this country. In some instances, I feel they have taken stands which are very much in disagreement with the views of the majority of consumers. I will not get into specifics because

that is not going to serve any worthwhile purpose this afternoon.

1750

In any event, we have some real concerns. We have concerns about all of the amendments. This one has some superficial appeal, if nothing else, but we are reluctant to support any amendment simply because our party has a great deal of difficulty with the principle of this bill. We do not want to give any indication of support in any way, shape or form for the principle. We think it is a bad initiative on the part of this government.

We concur with the New Democratic Party that it is going to result in higher auto rates, but this is really playing its game. They are putting on a show of concern in that respect, but I suspect they are quietly very pleased with the initiative and feel that at some point down the road this is eventually going to lead to state-run auto insurance.

**Miss Martel:** I hope so.

**Mr. Runciman:** I know she hopes so.

**Mr. Mackenzie:** You haven't blamed the unions yet.

**Mr. Runciman:** I do not need to. With the member as their spokesman, he does more damage than I could ever do.

That really sums up our stand on this amendment.

**Mr. Farnan:** I would like to make a very brief reply. Having sat through the committee, I talked about the window on the industry. The reality of the matter is that the Conservative viewpoint is they would be happy with just one person looking through the window, that is, the industry. This bill, I think, allows the partners in crime, the government and the insurance industry, to look through the window. What we are saying is, "What is going on behind the window?"

We can feel some sense of fairness only if there are people representative of the consumers in significant numbers. We are suggesting 50 per cent of the makeup of the board be representative of consumers. I can assure the House I will look very carefully and our party will be looking very carefully.

The parliamentary assistant has suggested: "Do not worry, boys. We are honest guys and we will put on the right people. The people we put on this committee, you will be able to trust." I hope the parliamentary assistant will then consider the dissatisfaction that will exist among the drivers of Ontario when they look at the makeup of this group and see that it is indeed loaded with members of the insurance industry. To suggest



that somebody who has served his life working within the industry, and who is now simply moving on to a consulting position, represents the consumers, I suggest is a fallacy also.

**Mr. Hampton:** There were some comments made by the parliamentary assistant that I think merit a response. I also want to go over some of the points made by my colleague the member for Cambridge (Mr. Farnan).

The parliamentary assistant suggested that I had said various consumer groups should have a veto over who should be appointed to the review board. If he checks the Hansard of the committee meetings, I think he will find that what I suggested was that the people the government wants to appoint, or that the Lieutenant Governor in Council wants to appoint, to this board should be vetted with various consumer groups, not that the consumer groups should necessarily have a veto, but that they should be vetted. In other words, groups like the taxi drivers' associations, the limousine drivers' associations, the truckers' associations, the consumer groups, etc., ought to be consulted in a meaningful way.

To merely have what we have in the bill now, that the board shall be representative of the industry, the insured and the public, and leave it that leaves a great deal of leeway—too much leeway, we suggest—and can very easily lead to a situation where you have one or two people on the board who represent or are supposed to represent consumers, you have a bunch of people on the board who come from an insurance industry background and you have some academics, some economists, some actuaries, who are supposed to represent the public, but because of their background or because of the philosophical position they come from, are more in tune with the insurance industry. That is what the present wording of the bill would allow.

Let us be very clear. There is an opposition of interest here. We saw through the hearings that we could have, on the one hand, an insurance company representative or an insurance broker representative come before the committee, sit down and look at a given body of statistics and say, "This is what it means to us." We also saw that we could have someone from a limousine drivers' association or a taxi drivers' association or a truckers' association or just a plain consumer of insurance come before the committee and say: "That is what those figures mean to me. That is how they impact on me as a consumer in this field." It is remarkable how those two people could come to such remarkably different conclu-

sions as to what those figures mean and how they impact.

That is what we are saying, that where you have a rate review board, where you have such diametrically opposed interests—the interests of someone who is trying to make a profit out of insurance and the interests of somebody who wants to drive his vehicle without paying exorbitant rates—you ought to have it clearly delineated in the bill that half of the people who are going to be on this board shall be from the industry and one half shall be representative of consumers and that is a requirement placed on the Lieutenant Governor in Council.

In that way, we can be assured that if the Lieutenant Governor in Council does not vet the appointments, we have the kinds of consumer groups that are interested in insurance and we will hear about it loud and clear from the consumer groups. That puts a clear responsibility on the government to sit down and do that kind of consultation.

As the wording of the bill stands now, that kind of consultation is not clear. There is too much leeway. There is too much room for people to find their way on to this board saying, "Oh, yes, I think I can represent consumers; I think I understand their point of view," when in fact they do not represent them at all and they do not, from their point of view and from the way they approach the insurance industry, represent a consumers' point of view.

The parliamentary assistant made another comment, actually in the committee hearings, that I think should be reflected upon here. We refer to some of the other boards and commissions where there is a representative nature to the commission or the board. The parliamentary assistant said, "Look, this is not the class struggle."

I want to say to him he is correct, this is not the class struggle, but what is very clear here is that the insurance industry has its body of interests. It may have a bunch of other interests, but it has its body of priority interests, and its body of priority interests are setting rates such that it makes a very good profit. In fact, anyone out of the insurance industry would say that his duty is to the shareholders of the corporation and his duty to the shareholders of the corporation is to win as large a profit as possible. If the consumers get hurt in that search for a very large profit, well, too bad.

Any insurance industry executive would tell you that is what he is out to do. Anyone who seriously studies our system of corporate law,

our system of corporate activity, would say, "Yes, that is what the executive of an insurance company should do, that is what the executive of a bank should do, that is what the executive of any profit-making corporation should do; he should win as large a profit as possible for his shareholders. That is the prime interest of the insurance industry.

Who is going to represent the prime interest of the consumers? We suggest very strongly that the kind of leeway in this bill does not assure in any way, shape or form the prime interest of consumers, that is, getting reasonable and fair insurance at a reasonable price. We suggest very strongly that interest is not represented by the way the bill is currently worded. There is far too much leeway there to appoint an economist who, in terms of the language of the bill, may be representative of the public but who, because of where that economist has come from and the

kinds of economic theories that economist professes, may be much more representative of the insurance industry than of the general public.

Similarly, because the bill does not require 50 per cent representation on behalf of consumers, there is no assurance whatsoever and there is no requirement placed on the government actually to go out and vet with consumer agencies, the appointments that will be made on behalf of consumers.

**Mr. Chairman:** Order. May I ask the member to look at the clock, please. Do you want to continue tomorrow?

**Mr. Hampton:** Yes. I would like to continue briefly tomorrow.

On motion by Hon. Mr. Elston, the committee of the whole house reported progress.

The House adjourned at 6:02 p.m.



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Oriole L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)

**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
**Grandmaître, Hon. Bernard C.**, Minister of Revenue (Ottawa East L)  
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)  
 Haggerty, Ray (Niagara South L)  
 Hampton, Howard (Rainy River NDP)  
 Harris, Michael D. (Nipissing PC)  
 Hart, Christine E. (York East L)  
 Henderson, D. James (Etobicoke-Humber L)  
**Hošek, Hon. Chaviva**, Minister of Housing (Oakwood L)  
 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
 Johnston, Richard F. (Scarborough West NDP)  
 Kanter, Ron (St. Andrew-St. Patrick L)  
**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
 Keyes, Kenneth A. (Kingston and The Islands L)  
 Kozyra, Taras B. (Port Arthur L)  
**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
 Laughren, Floyd (Nickel Belt NDP)  
 LeBourdais, Linda (Etobicoke West L)  
 Leone, Laureano (Downsview L)  
 Lipsett, Ron (Grey L)  
 Lupusella, Tony (Dovercourt L)  
 MacDonald, Keith (Prince Edward-Lennox L)  
 Mackenzie, Bob (Hamilton East NDP)  
 Mahoney, Steven W. (Mississauga West L)  
**Mancini, Hon. Remo**, Minister without Portfolio (Essex South L)  
 Marland, Margaret (Mississauga South PC)  
 Martel, Shelley (Sudbury East NDP)  
 Matrundola, Gino (Willowdale L)  
 McCague, George R. (Simcoe West PC)  
 McClelland, Carman (Brampton North L)  
 McGuigan, James F. (Essex-Kent L)  
 McGuinty, Dalton J. (Ottawa South L)  
 McLean, Allan K. (Simcoe East PC)  
**McLeod, Hon. Lyn**, Minister of Colleges and Universities (Fort William L)  
 Miclash, Frank (Kenora L)  
 Miller, Gordon I. (Norfolk L)  
 Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

**Nixon, Hon. Robert F.**, Deputy Premier, Treasurer of Ontario and Minister of Economics and Minister of Financial Institutions (Brant-Haldimand L)

**Odie Munro, Hon. Lily**, Minister of Culture and Communications (Hamilton Centre L)

Offer, Steven (Mississauga North L)

**O'Neil, Hon. Hugh P.**, Minister of Tourism and Recreation (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

**Patten, Hon. Richard**, Minister of Government Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

**Peterson, Hon. David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

**Phillips, Hon. Gerry**, Minister of Citizenship (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

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**Ramsay, Hon. David**, Minister of Correctional Services (Timiskaming L)

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**Riddell, Hon. Jack**, Minister of Agriculture and Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the Committees of the Whole House (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

**Scott, Hon. Ian G.**, Attorney General (St. George-St. David L)

Smith, David W. (Lambton L)

**Smith, Hon. E. Joan**, Solicitor General (London South L)

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**Sorbara, Hon. Gregory S.**, Minister of Labour (York Centre L)

South, Larry (Frontenac-Addington L)

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**Wilson, Hon. Mavis**, Minister without Portfolio (Dufferin-Peel L)

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**Wong, Hon. Robert C.**, Minister of Energy (Fort York L)

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Vacancy: London North

\*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.



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No. 38

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**  
Wednesday, February 10, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, February 10, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### RETAIL STORE HOURS

**Mr. Philip:** Yesterday, the Premier (Mr. Peterson) condescendingly stated that members of the Legislature who believe in a common day of rest are living in the past. Perhaps he felt the Solicitor General (Mrs. Smith) was living in the past when she signed her name to the report of the select committee on retail store hours.

The report of this select committee, which was established by the Premier himself at a cost of \$90,337 to the taxpayers, reflected the views of thousands of citizens and presentations by the representatives of community, church and business groups. No doubt the Premier believes the leaders of these groups are living in the past.

He was obviously thinking of the future when, during the election campaign, he stated he was in favour of the committee's report and its theme of a common pause day for Ontario. It is too bad that the future he was thinking of was his career's future on election day.

Grocery-store operators and their employees claim that Sunday shopping will increase food costs since it will be more expensive to remain open for an extra day with no expected increase in overall volume. Another throwback to the past is the increasingly large number of people lining up at soup kitchens and food banks. Additional food costs caused by an open Sunday can only increase this throwback to the past.

Promising one thing during an election campaign and doing exactly the opposite after an election is also a throwback to the past, a throwback to the old style of politics. It is the Premier who is living in the past, not those citizens across Ontario who feel that Sunday shopping will be more costly to the consumer and an added stress on our way of life.

### PERLEY HOSPITAL

**Mr. Eves:** I would like to bring to the attention of the House the presence of members from the Canadian Union of Public Employees, Local 870, in the gallery today. They are here to

express their concerns regarding ministerial plans for the relocation of the Perley Hospital, a chronic care facility in Ottawa.

The union does not oppose the construction of a new hospital. However, they do believe that the existing Perley Hospital should be recycled to provide a broad range of innovative health services to the elderly. In a city which has to close emergency wards because patients cannot be moved into acute care beds, because they are occupied by chronic care patients, the decision to eliminate such services is indeed hard to understand.

Our caucus task force report on the future health care needs of seniors, entitled *Care for the Elderly*, showed there is a shortage of health care beds for seniors in all types of facilities. The future health care of our ageing population requires careful planning. Our party is committed to expanding community-based programs which will enable more seniors to remain in their communities. However, we also recognize that there will always be a need for chronic and extended care beds.

Existing facilities such as the Perley Hospital must be used to help meet current and future needs of seniors in this province. I urge the Minister of Health to maintain the existing Perley Hospital in Ottawa in order to provide health care programs for the elderly.

### ONTARIO HERITAGE WEEK

**Mr. Dietsch:** My riding of St. Catharines-Brock has always been proud of its heritage and has worked tirelessly to preserve it. Take for example Niagara-on-the-Lake in the northeast section of my riding. Niagara-on-the-Lake has been many things to many people. It has been an Indian village, a pioneer settlement which became the first colonial capital of Upper Canada, a site of a British fort, a strategic defence point against American invaders and now a place where people can step back into history.

On Saturday, February 6, the Welland Canal Society, the Ontario Historical Society and the Ministry of Culture and Communications organized a regional display commemorating Ontario Heritage Week at the Pen Centre in St. Catha-

rines. This event highlighted the attractions and services of local museums and historical societies, among others.

There were about 40 organizations which participated, among which were the Niagara Chapter of Archeological Exhibits, the Niagara Peninsula Conservation Authority, the Senior Citizens Council of St. Catharines, the Niagara-on-the-Lake Historical Society, the Niagara Parks Commission, the Historical Society of St. Catharines, the St. Catharines district branch of the United Empire Loyalists' Association of Canada, the Niagara Antique Power Association and the Welland Canal Association, to name but a few.

The event was a tremendous success. As I walked among the displays—

**Mr. Speaker:** The member's time has expired.

**Mr. Dietsch:**—it was very apparent that these organizations, in the true spirit of Heritage Week—

**Mr. Speaker:** Order. There are other members who would like to make a statement.

#### BAIL PROGRAM

**Mr. Farnan:** The Ministry of Correctional Services must be held accountable for the deplorable state of the Toronto bail program, the Kitchener bail program and others throughout the province. Financial restrictions are forcing these programs to limit case loads. As a result, individuals who would otherwise be released awaiting their trial are forced to suffer in custody.

It costs approximately \$2.65 to keep people under supervision in the community pending their trials and over \$45 a day to keep them in jail. Imprisonment before trial runs contrary to our belief in the presumption of innocence until proven guilty. We are all aware of the overcrowding in our jails. The failure of the Ministry of Correctional Services to expand funding for the bail program is resulting in increased overcrowding.

There is little doubt that without the supervision of the bail program, few courts will be willing to release accused persons on their own recognizance in situations where surety or bail programs would usually be required. This will result in individuals being detained in custody because they do not have family or friends with financial resources. As a result, our judicial system is reduced to one in which there is one law for the rich and another for the poor.

I urge the minister to make available an infusion of funds to remedy this intolerable situation.

#### PALLIATIVE CARE

**Mr. Cousens:** Most members of this House will be familiar with the important role palliative care has played in our health care system. As members will know, palliative care is compassionate care for the terminally ill, based more on a philosophy of life than on treatment for the dying.

Last year I had the honour of chairing a task force on behalf of our party which dealt primarily with care for the elderly and palliative care services. Due to my involvement in this activity, I became more aware of the struggle by professionals and volunteers who strive to enhance palliative care services in Ontario and across the country. I have personally been involved in setting up hospice services in southern York region.

On April 30 of last year, I presented a motion that received unanimous approval by this Legislature, which called for the development of a comprehensive, community-based system of palliative care services. To date this government has done little to improve upon services for the terminally ill. Requests for financial support have gone unanswered.

Now it is with deep regret that I make this Legislature aware of the closing of the Canadian Palliative Care Foundation. Unable to raise money for its own survival, the foundation will no longer be able to provide its many services and research to those in need.

I call on this government to live up to the commitment of my motion and assist in providing and maintaining an organization which helped—

**Mr. Speaker:** The member's time has expired.

#### HEARING-EAR DOGS

**Mrs. Stoner:** It is my great pleasure today to introduce to the Legislature two very special people: Jill Johnson, a constituent of mine from Ajax, and Jacqueline Harbour of Ancaster, the founder of the Hearing Ear Dogs of Canada organization. Jill is deaf. Her hearing-ear dog Toby, who is with her today, is her ears.

Toby has received obedience training in both voice and sign language and he is the first Canadian-registered purebred German Shepherd trained as a hearing-ear dog and placed in a home. Normally, hearing-ear dogs are mutts and are donated by the humane society. I know from Jill that having Toby has enhanced her active life and that he is a great assistance to her. With



Jackie is Corky, one of Canada's first hearing-ear dogs.

1340

Hearing household sounds such as ringing doorbells, telephones, alarm clocks, stove timers, smoke detectors and kettles is something that we hearing people take for granted, but that is not the case for a deaf person. Hearing-ear dogs alert the deaf to these sounds.

As a nonprofit organization, Hearing Ear Dogs of Canada relies upon donations for assistance and to operate. I am encouraging the organization to make a submission to the Ministry of the Attorney General to have a deaf persons' rights act similar to that of the Blind Persons' Rights Act. Such legislation would ensure that hearing-ear dogs have the same kind of access to facilities as do the seeing-eye dogs. I ask members to join me in welcoming our visitors.

## STATEMENTS BY THE MINISTRY

### TELEVISION EXTENSION IN NORTHERN ONTARIO

**Hon. Ms. Oddie Munro:** All residents of the province should have access to adequate television service. Our government is committed to ensuring that this happens. We especially want television service in northern Ontario to be as accessible as it is in other parts of the province. To achieve this, I am pleased to announce the first 10 project grants of the television extension in northern Ontario, TENO, program.

TENO funding supports capital costs for the construction of cable television systems or low-power rebroadcasting transmitters. TENO will increase access to the English- and French-language television services of TVOntario and the Ontario Legislative Assembly for residents in northern Ontario communities.

Today, I am pleased to announce that a total of \$313,377 has been awarded to three cable television operators to extend the delivery of cable television service. This funding will expand cable services and bring television reception to nine northern communities, including two native communities which were previously underserved.

The 10 project grants of the TENO program have been awarded as follows: to Northern Cable Service Ltd. of Sudbury, which has received a total of \$222,916 for seven projects; Norcom Communications Ltd. of Kenora, which has received a total of \$47,561 for two projects; and Maclean Hunter Cable TV of Thunder Bay, which has received \$42,900 for one project.

These 10 projects are extensions of existing cable operations. The projects will enable approximately 500 previously unserved households in northern Ontario to have access to cable television services.

I am pleased to inform the House that more than 160 of these households are located in two native communities. The projects are expected to deliver full service to these residents within one year, depending upon the approval of the Canadian Radio-television and Telecommunications Commission.

The \$10.6-million TENO program was announced last year by my colleague the Minister of Transportation (Mr. Fulton) to provide residents in northern Ontario communities with improved television services and reception.

TENO is funded by the Board of Internal Economy and the northern development fund administered by my colleague the Minister of Northern Development (Mr. Fontaine).

TENO is an important step in improving the delivery of television service to the residents of northern Ontario. I am pleased my ministry has the lead role in implementing this valuable program.

### SENIOR CITIZENS' SERVICES

**Hon. Mrs. Wilson:** I wish to announce today details of a further increase in funding for home support services, elderly persons centres and Alzheimer programs.

On behalf of my honourable colleague the Minister of Community and Social Services (Mr. Sweeney), I am pleased to make this statement reaffirming our government's determination to strengthen services to senior citizens living in our communities.

This announcement, along with that of January 6, reflects the commitment of this government to the initiatives outlined in A New Agenda released in June 1986.

Effective January 1 of this year, the government has approved additional funding to expand community support programs. This program enrichment will reach \$12.3 million per year when fully mature in 1989-90. This amount is in addition to the \$7.9 million already announced on January 6 for funding formula enrichment.

This is how the funding will be allocated:

A sum of \$5.3 million annually to enrich home support programs such as Meals on Wheels, friendly visiting, home maintenance and home help. Of this amount, there will be at least \$2.3 million annually to develop and expand home support services for Indians and natives, franco-

phones and people who live in isolated areas of this province.

A further \$1 million will be allocated annually to enable senior day programs, which support independent living, to expand to more communities in Ontario.

To assist the elderly living in rural parts of Ontario, the government has set aside \$1 million annually to purchase vans and provide associated operating funding for transportation services.

I am sure members of this House are aware that there are many rural communities without public transportation or with limited means of travel to necessary services. This initiative will greatly improve the mobility of our senior citizens.

As well, I am pleased to announce funding of \$3 million to enhance development of Alzheimer community support services. These dollars are in addition to the new initiative funding for Alzheimer programs begun two years ago.

As I announced on January 6, funds have been provided to increase the operating ceiling on elderly persons centres. In addition, funds have been approved to support the development of 25 new centres to be phased in, beginning in 1988-89. In this development, priority will be given to those centres whose programs and services emphasize a preventive, health maintenance approach. An additional \$2 million has been approved to support the operation and funding of elderly persons centres in Ontario.

We intend progressively to expand and improve community services in order to achieve a more uniform distribution across the province. Particular emphasis is being placed on enriching the funding base for home support services and on developing a network of community support services.

We shall continue to honour that commitment made in A New Agenda to enhance and expand services to seniors who wish to remain living independently in their own communities.

## RESPONSES

### TELEVISION EXTENSION IN NORTHERN ONTARIO

**Mr. Wildman:** I would like to respond to the statement by the Minister of Culture and Communications (Ms. Oddie Munro) with regard to the extension of the TENO program.

This program will provide basic television services and a choice and alternatives in television service to small, isolated northern communities that do not have the service, which is taken for granted in most communities in southern Ontario, and we welcome it. We hope the

minister will be able to extend it further so that many small communities which at present have only one channel or in some cases no service at all will be able to receive services.

Also, it is of particular importance that we are able to provide TVOntario service and the service of the parliamentary channel to these communities so that they can have some additional choice.

I hope that at some future date the ministry will consider the possibility of extending native-language television services into many of the northern communities. On behalf of the small native communities that will now be able to receive some service with the extension of this cable system, I say to the minister and to the government, "Meegwetch."

1350

### SENIOR CITIZENS' SERVICES

**Mr. Allen:** Responding to the statement by the Minister without Portfolio responsible for senior citizens' affairs (Mrs. Wilson), I think all of us welcome any additional resources that are, in particular, put at the disposal of those who are often in the marginal communities in our province; namely, Indians, natives, francophones and people living in isolated areas, who very often have much lower access to services of all kinds than many of the rest of us do.

I am delighted to see that aspect of this program and the general additional funds that are being directed in that fashion. Also, I think with respect to seniors in the rural areas, as a recent statement and study by the Ontario Advisory Council for Disabled Persons indicated, mobility is life itself. In the rural areas that is even more true than anywhere else and for seniors, of course, in particular.

Might I note, however, two or three concerns. One is that I think the minister made some additional funding commitments to some community programs about a month or so ago. I noted at that point in time that it would be nice to see some regular cost indexing on these programs so that one did not just sort of leap into a series of lapses of funding and then attempt to catch up, but maintained a regular costing for the service itself.

Also, as we move into these more comprehensive deliveries of services for seniors, the handicapped and so on, numerous programs that have been fielded on the basis of volunteer organizations in the past need to be looked at again, I think, in terms of the structure of their delivery service. For example, I know the people



who have worked with Meals on Wheels are very concerned that while, yes, it is good to get additional funding, perhaps the way in which the whole system is structured now needs some very careful attention, because as it becomes province-wide, virtually universal, the delivery requirements are much more substantial, much more intricate and require a much more solid network and delivery system.

I would hope that as we move into each of these areas of support systems for seniors we will find ways to make them adequate for the people concerned so that there is not inadvertent lapsing, occasional collapsing, etc., along the road in the process of maintaining seniors and their lives in the community.

**Mr. Cousens:** I am pleased that the Minister without Portfolio responsible for senior citizens' affairs is making announcements and showing a commitment to the need that the elderly have in our province.

I am, in some respects, disappointed that the former member for London North is not able to continue to participate, because I think he did a great deal to start this process. The once-Honourable Ron Van Horne has now gone to another place. In fact, I think we appreciate the fact that there has been a commitment shown through his services and continuing now through this minister in being concerned with seniors' needs. Maybe the ghost of Ron Van Horne lives on, but more than that, I am seeing the handiwork of someone who also cares.

The new agenda did state a number of initiatives. It took a while for them to start coming out. When we look at the five different ways in which the minister is planning to spend some money, we have large problems with home support programs across the province because many of the home support programs cannot find staff to run them any more.

If a senior is looking for home support, the minister can pour in all the money she wants right now, but unless the salaries come up and people are trained and want to become involved in helping someone stay in his own home, then all the money in the world is not going to do it. She has to make sure she maintains a level of funding so that home support services can continue in a strong way.

The senior day program is in itself a positive program and I know many seniors will benefit from that. I wonder how much she can do with \$1 million if the cost of administration is one thing and then the cost of spending it on vans—I think it is excellent. I hope the government has a

plan for northern Ontario, a plan for eastern Ontario, a plan for the west and a plan for Metro, but if it has only 25 or 30 vans, what difference does this really make to the whole province? It is good to start, but some people are going to be jealous of those who have—

**Hon. Mr. Bradley:** It depends on what row you sit in.

**Mr. Cousens:** The Minister of the Environment (Mr. Bradley) seems to be having a problem. There is still some tar on his tongue.

With respect to the needs of Alzheimer victims and their families, the Alzheimer victim does not understand what has happened to him or her in the latter stages, but his family sure does. While \$3 million to help with that is a good start, we are in a stage now where the seniors represent four people in every 100. Within the next 20 years they are going to be six people in every 100. The number of seniors is increasing. We must begin far more fervently to do more for our seniors.

I believe there are many things this government could be doing to give leadership. In the opening statements of this House today, I called upon the government to do something to help with the palliative care foundation. There has been very little done.

Maybe it is because the Ministry of Community and Social Services and the Ministry of Health do not talk to one another. The Minister without Portfolio responsible for senior citizens' affairs has a chance to bring them together and to try to get home care, home support and those services that help people in their homes to work together more effectively. It is not happening now, but the minister can give that kind of leadership.

I would also like to see the minister do something to respond to the needs that the member for York North (Mr. Beer) has brought forward for Greenacres. There are so many seniors looking for places to go when they cannot stay in their homes any longer, and we have 250 beds waiting to be used that could be used if this government would open them up.

They can pat themselves on the back with one pat but no more. We would like to see an awful lot more done to help the people who really need that help.

#### TELEVISION EXTENSION IN NORTHERN ONTARIO

**Mr. Eves:** I am pleased to respond to the statement made today by the Minister of Culture and Communications (Ms. Oddie Munro). We welcome the extension of services to nine more northern communities, especially the two native



communities, which were previously overlooked.

I would ask the minister, however, to find out what happened to the \$200,000 to \$300,000 set aside for a TVOntario tower in Parry Sound some three years ago. I presume the money is sitting in her ministry collecting interest, so that Parry Sound now has about \$400,000 to spend on the TVO tower.

#### SENIOR CITIZENS' SERVICES

**Mr. McLean:** I want to say a few words with regard to the statement of the Minister without Portfolio responsible for senior citizens' affairs. For some time in this Legislature, I have been making speeches about the Alzheimer people in this province. I am pleased to see the \$3 million that the minister has put forward to help these people in their time of need. I will be watching very carefully and closely to see that this money is being put in and being spent to help these people.

**Mr. Villeneuve:** On a point of privilege, Mr. Speaker: I rise to respond to the improper allegation made yesterday by the Premier (Mr. Peterson) when he suggested that I was supporting his government's stand on Sunday shopping. The only time I have ever discussed the idea of a municipal option was upon my initial appointment to the Progressive Conservative task force on extended shopping hours in January 1986. At that time I—

**Mr. Speaker:** Order. That is a very good point of information. I do not quite see how it is a point of privilege. Any member is allowed to rise and correct his or her own record, not someone else's record.

1400

#### ORAL QUESTIONS

##### USE OF PRESCRIPTION DRUGS

**Mr. B. Rae:** I have a question to the Minister of Health. Would the minister agree with the statement that Ontario is now an overmedicated society?

**Hon. Mrs. Caplan:** I believe we have done considerable work in the past two and a half years to look at the state of health of the residents of Ontario. One of the things we recently announced was a health status survey that will be conducted very shortly by the Ministry of Health to determine what the health status actually is of the people so that we can plan our programs for the future to ensure that we can meet the highest possible standards of health.

**Hon. Mr. Bradley:** That is a good answer.

**Mr. B. Rae:** The Minister of the Environment (Mr. Bradley) says, "That is a good answer." According to his environmental standards, it is a good answer; according to anybody else's environmental standards, I do not think it meets the test.

Can the Minister of Health confirm that she in fact received the letter from Dr. Carruthers stating categorically that the drug formulary that is now in place includes "ineffective, toxic or excessively expensive drugs"? He calls the special authorization system an "absurd" system "which squanders millions of dollars annually."

Can she confirm that in an earlier report which Dr. Carruthers headed along with several other doctors, which was sponsored by her predecessor, the member for Bruce (Mr. Elston), up to 20 per cent of geriatric patient hospitalizations are ascribable to either adverse drug reaction or to errors in drug dosage? If that figure is true, it means that nearly a million person-days are being spent by seniors in hospitals because of the misuse and misprescription of drugs in our system today? Can she confirm she is in receipt of these letters and these reports? If what she says is true, why did Dr. Carruthers choose to resign?

**Hon. Mrs. Caplan:** Let me inform the Leader of the Opposition (Mr. B. Rae) that in the last four months I have spent considerable time discussing this particular issue with many interest groups which are very concerned, and as concerned as I am, about the state of drug use in Ontario.

The first conversation I had with the Ontario Medical Association revealed that it, too, is concerned about prescribing habits of physicians who write the prescriptions that the seniors in this province take.

A representative of a consumer advocate association—a woman by the name of Joan Watson, a member of the Premier's Council on Health Strategy—and I discussed this issue. Consumer groups are very concerned. The Drug Quality and Therapeutics Committee is also very concerned. The deputy minister met with the DQTC to discuss its approach.

I have also met with the pharmacy associations, representatives of pharmacy from the manufacturers and generics. There are many people who want an opportunity to discuss what I think is a very important issue. I believe the approach we should take, the approach I have proceeded to take, is one of consultation and discussion on a matter of great interest to many people in this province.



**Mr. B. Rae:** The DQTC has told the minister that the consultation with the committee resulted in the resignation of Dr. Carruthers. Is the minister aware that Dr. Carruthers's predecessor, Dr. Bill Mahon, from the Toronto General Hospital, was sufficiently upset with the minister's response yesterday in saying that Dr. Carruthers was just one voice, to point out to me and to others that he was the previous chairman of the committee, that he has been equally dissatisfied with the lack of progress made, with the lack of response to reports, and that he specifically wrote a letter to Dr. Dyer in 1985, when Dr. Dyer was the deputy minister, saying he was extremely unhappy with the lack of progress that was being made and that the government lacked the political will to deal with this question?

It is costing us over \$1 million a day in prescriptions. It is costing seniors \$1 million a day in terms of what our health care costs are in overhospitalization as a result of overmedication. When is the minister going to face up to the fact that we have a serious drug problem, a serious drug habit in this province, that is being paid for by the government of Ontario and that the minister has to—

**Mr. Speaker:** Order. The minister.

**Hon. Mrs. Caplan:** Not only in the past four months, but prior to my arrival at the Ministry of Health, we funded a report so that we would have some of the data that was necessary to begin addressing that issue. In the past four months I have discussed this as well with my colleague the Minister without Portfolio responsible for senior citizens' affairs (Mrs. Wilson). We share the concern that has been raised. The question is what approach to take.

The statement I made yesterday, which I will repeat today, is that we do not believe there are any simplistic solutions to this, nor is there any one group that has all of the answers. We believe we should consult widely and give everyone interested in this issue an opportunity to join with us, through consultation, to find solutions.

Some of the suggestions that have been recommended by the DQTC for approval have very broad-ranging policy considerations that I think should be discussed in the public forum. I will be moving, in the very near future, to discuss how every member in this House and persons interested, as we are, in the health care of not only senior citizens but everyone receiving benefits from this government under the Ontario drug benefit plan will have an opportunity to discuss this very important issue.

**Mr. B. Rae:** We now have two former chairmen of the committee involved saying they are not satisfied.

**Mr. Speaker:** Order. New question, and to which minister?

#### RENT REGULATION

**Mr. B. Rae:** Just a short time ago—in fact, it was just a few short weeks ago, on November 17—the Minister of Housing said in this House, “To the best of our experience in the past, the vast majority of tenants in Ontario will receive rent increases of 4.7 per cent or less in 1988.” Her predecessor said, again in this House, on May 13, “We estimate the average will be less than five per cent when all the cases have been heard.”

I am sure the minister is aware that the figures are now available for the first 2,000 units, both pre-1976 and post-1976 buildings, and that the figures have now come down with an average of 10 per cent. Is she still sticking to her statement in the House a few short weeks ago that the average rent increase was going to be 4.5 per cent, when in fact the increase has now been more than twice that?

**Hon. Ms. Hošek:** My statement in the House referred to the number of people in the province who are going to be getting increases at or near the guideline. Our figures still indicate that the vast majority of the tenants in this province will be paying rent increases at or near the guideline.

**Mr. B. Rae:** I want to go back to the minister. I want to say that when we look at the statements that were made by her predecessor, he said, “We estimate the average will be less than five per cent when all the cases have been heard.” That was the assurance we had from the member for Scarborough North (Mr. Curling) when he was Minister of Housing. That was the statement the government made before the election. That was the presentation the Liberal Party made to the people of this province when it sought its mandate in an election campaign, when the present minister stood for election.

Does the minister not feel a little guilty now that the results have come down from the first 2,000 units and those 2,000 tenants are not paying the 4.5 per cent the government promised them before the election? They are paying its post-election hangover, 10 per cent, which is precisely the Liberal solution to all the problems we have seen in this province.

**Mr. Speaker:** Order. The question has been asked.

**Hon. Ms. Hošek:** The rent review legislation we currently have gives tenants broader protec-

tion than they have ever had before. The people living in units that were built after 1975 are now under the protection of the rent control legislation. We have a much more zealous administration than before, there is protection for people concerned with the standards of the buildings they are in and the vast majority of tenants living in this province will be paying rent increases at or near the guideline.

**Mr. B. Rae:** What the minister is saying to this House is not in keeping with the facts. What the minister should know is that of the applications that took place dealing with pre-1976 buildings, which were covered by the law even when the Tories were in power just as they were covered by the law when the Liberal Party took over, a number were in fact increased by more than five per cent by the commission.

Do members want to know why? Because of the economic-loss provisions which her party insisted be added to the law, which guarantee a landlord a return. It is the Thom commission by the back door. That is what she presented in her law, Bill 51, which the Premier (Mr. Peterson) said was such a wonderful compromise. That is why the tenants are being gouged and that is why they are being faced with 10 per cent increases, because of the law that she introduced; that is why it is there.

Does the minister not admit now that she has broken her promise to the people of the province when she said rent increases would be four and a half per cent?

**Hon. Ms. Hošek:** The legislation that we currently have offers broader protection for tenants than has ever been possible in Ontario before. I am proud of that. I think it is very important for tenants to have protection on the issue of maintenance of their buildings. I think it is very important for tenants to have a rent registry so that they can check the rents they are supposed to pay.

We are doing very good work in this area, I am glad that we are able to protect tenants well, and as I said, the vast majority of tenants will be paying rents at or near the guideline. There will be other tenants whose landlords have asked for rent increases to recognize the reasonable cost of maintaining those buildings, and those tenants will be paying the rents that are based on an analysis of the costs involved.

1410

**Mr. Speaker:** New question, the member for Nipissing.

**Hon. Mr. Bradley:** He looks like leadership material, doesn't he?

**Mr. Harris:** Thank you very much.

## RETAIL STORE HOURS

**Mr. Harris:** I have a question for the Premier. I have read through the Hansard of yesterday and through all of the Hansards, as a matter of fact, on the issue dealing with Sunday shopping. Nowhere in any of the Hansards and nowhere in any of the media reports that I have read can I find where the Premier says what he supports, so I would ask the Premier simply, does he support Sunday shopping in Ontario?

**Hon. Mr. Peterson:** We support municipal option.

**Mr. Harris:** One of the things I did read was that the Premier said he was going to drag Ontario into the future. I am not sure if that was his actual quote or if that was an interpretation of his quote, but he seems to acknowledge that that is what he is doing. That is a little bit at variance with what he just said, and I would suggest to him that what he is really doing is dragging Ontario south of the border into American-style commercialism. He is not dragging Ontario into the future.

**Mr. B. Rae:** What about free trade?

**Some hon. members:** Free trade.

**Mr. Breaugh:** Yankee-bashing.

**Hon. Mr. Wrye:** Don't be so anti-American.

**Mr. Speaker:** Order.

**Mr. Harris:** I thought the House would enjoy that analogy. That is what he is doing.

Interjections.

**Mr. Speaker:** Order. Perhaps the member would take his seat until we get things quieted down a bit.

Interjections.

**Mr. Speaker:** Order. All right, now would be the time to try to place the supplementary.

**Mr. Harris:** The issue here really is what the Premier thinks and what the Premier is doing. The Premier has said that he wants to respect local decisions of local politicians on this issue and he wants to respect what they have to say. So what do they have to say? ROMA, the Rural Ontario Municipal Association, voted overwhelmingly, according to the Toronto Star, to ask the provincial government to assume responsibility. That is what they say, and the Premier says he wants to respect their decision. The OMA said 70 to three—that was their decision, representing local people, local politicians; that is their decision.



So I ask the Premier, will he accept their decision and accept the responsibility to put this on a provincial basis?

**Hon. Mr. Peterson:** To the best of my knowledge, the OMA has not taken a position on this particular matter, but I believe the member is right with respect to the AMO. I say to my honourable friend that we have discussed this before. He has drawn up a long list of people who he feels do not agree with the government approach to this matter. I can show him that a lot of people do support the approach of the government.

**Mr. Sterling:** Who?

**Mr. Wiseman:** Tell us who.

**Hon. Mr. Peterson:** The member for Stormont, Dundas and Glengarry (Mr. Villeneuve). I understand he has publicly recanted today, but since you take advantage of—

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** I could have asked my friend the Leader of the Opposition (Mr. B. Rae) to bring an enlargement of that particular reproduction, and I will arrange to do so tomorrow.

**Mr. Speaker:** Order. Were you up on a point of order?

**Mr. Villeneuve:** A point of privilege, Mr. Speaker.

**Mr. Speaker:** Usually you are supposed to give a Speaker notice of a point of privilege. I do not—

Interjections.

**Mr. Speaker:** All right.

**Mr. Villeneuve:** Mr. Speaker, the point is that the Premier is misrepresenting this House and—

Interjections.

**Mr. Speaker:** Order. I will ask the member to withdraw that.

**Mr. Villeneuve:** I will withdraw if the Premier will also withdraw his statement.

**Mr. Speaker:** Will you withdraw it?

**Mr. Villeneuve:** I withdraw.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** It is not my intention to be controversial in this particular matter or to be partisan in any way. I only know what I read. I am like the interim interim leader of the third party here today. But we have discussed this matter before, and I will repeat what I have said

before. My honourable friend is aware that municipalities control the store hours now six days a week and, in fact, seven with the tourist exemption. This regularizes that and extends the democratic principle.

I know some would try to attach other values to that situation, and I understand it is an emotional debate, but it does not in any way imply a wide-open Sunday. It allows individual communities, like Point Edward in the community of the real interim leader, to make their own decision about their own commercial prospects. I do not really think, and I say as respectfully as I can to my honourable friend, that dramatically overblowing this situation serves the real cause of what is being proposed in this situation.

Now that the real leader is back, he may want to come up and take the second supplementary on this matter.

**Mr. Harris:** It is a sad day when all the Premier can do is try to put words in others' mouths. What we want to know is what he thinks and whether he will live up to any of the commitments he has made. He said he wanted to respect the local politicians. They told him what they wanted and now he will not listen to them.

In my final supplementary, I would like to get down in a serious way, if the Premier wants to treat the problem seriously as we do, and say that he has identified, throughout this whole shemzzle he has created, that the basic problem is one of the tourist designation. We acknowledge that the tourist designation worked for a number of years. In recent years, as municipalities tried to use that to get around and get at other objectives, it became unworkable. We acknowledge that.

Let me by way of final supplementary—

**Mr. Speaker:** Order. Do you have a question?

**Mr. Harris:** By way of final supplementary, let me offer the Premier this challenge. He has said that is the problem. Given that his 30-member—

**Mr. Speaker:** Order. You said you were challenging. Would you place your question?

**Mr. Harris:** I thought I was doing that, Mr. Speaker.

Given that the Premier's 30-member cabinet cannot solve this problem—he has said he cannot come up with a solution—will he allow our 16-member caucus six months to work with the Association of Municipalities of Ontario and others to come up with an acceptable definition of "tourist designation" in this province and solve the problem that he says he cannot solve?

**Hon. Mr. Peterson:** We believe we have a thoughtful solution to the problem. I think my honourable friend has stood in his place today and acknowledged some of the problems of the past. Perhaps he has joined the list, along with his esteemed colleague the member for Stormont, Dundas and Glengarry, in supporting the view that this government has taken. I think it allows for North Bay, for example, to make special provisions with respect to the tourist component of the economy there, or other communities as well. It in no way implies that everybody has to open.

I ask my honourable friend to look at what has happened in Alberta and British Columbia. Has he seen this importation of crass commercialism that he so fears, but he wants to import through the free trade agreement that he supports. Has he seen it there in Alberta or British Columbia? I do not think that is the case at all and I do not think that Premier Vander Zalm would allow that to dominate British Columbia today.

Interjections.

**Mr. Speaker:** Order. There are many members who would like to ask questions. We will just wait until—

Interjections.

**Mr. Speaker:** Order.

1420

### ABORTION

**Mr. Eves:** My question is to the Minister of Health. Is the minister in favour of publicly funding the operational and administrative costs of private, independent medical clinics in Ontario?

**Hon. Mrs. Caplan:** The provisions of the Ontario Health Insurance Act declare what services are insured services in the province. If they are insured services, the Ontario health insurance plan pays.

**Mr. Eves:** I am quite aware of the fact that OHIP is supposed to try to build these costs in. The minister stated on Monday that she would be striving to ensure that the appropriate funding mechanisms be in place for clinics inside and outside of hospitals with respect to abortion services. Will she not admit that it is somewhat inequitable and unfair to consider two clinics or just these clinics and not others? What is the government's position with respect to the funding of abortion clinics? Either it is going to do it or not going to do it. Is the government going to provide public funding or not? Which is it?

**Hon. Mrs. Caplan:** We have numerous methods for funding health services in the province. One is through the public hospital system. The other is through community health centres and health-service-organization models. We consider all of these models appropriate for funding insured services in the province.

**Mr. Eves:** The minister still has not answered the question with respect to whether she is going to fund these independent clinics or whether she is not going to fund them. I think the people of Ontario are entitled to an answer, quite frankly, and a very straightforward one: Yes or no?

It may well be that the minister should be looking into increasing the fees, for example, for abortion procedures in light of the recent Supreme Court ruling. Would the minister not agree that if she fails to do that, she is actually condoning extra billing in Ontario, something she and her colleagues are obviously against? In effect, is that not what the minister has been doing for the past two and a half to three years? Has she not been condoning extra billing with respect to these clinics and is she going to publicly fund these clinics? Yes or no?

**Hon. Mrs. Caplan:** I think it is very clear and I want to thank the member for the question, to give me an opportunity to clarify in the House that abortion services in Ontario are and have been an insured service. The only reason they have only been paid for in hospital in the past was because the federal legislation required an accredited hospital in order to be a legal service. Since the Supreme Court decision, we know that it is now perfectly legal for this procedure to be outside of hospital. Therefore, OHIP has an obligation to pay for the service. We have reviewed a number of proposals and are considering at this time appropriate funding mechanisms.

### PUPIL-TEACHER RATIO

**Mr. R. F. Johnston:** My question is for the Minister of Education. It regards the commitment of the government last summer, during the heat of an election when it got so carried away, to reduce class size from 30-to-1 to 20-to-1 for grades 1 and 2 and its subsequent decision to put in only about a fifth of the money and, this year, to be producing perhaps 1,100 teacher jobs, or less than one teacher for every three elementary schools in Ontario.

Can the minister tell us when he is going to make his announcement about how this is being done, and upon which basis this decision of implementation is going to be taken when, as I



understand it, there will be no assistance given for the extra space needs that some school boards may have to be able to accommodate extra teachers in the elementary panels? I am thinking specifically of the expanding school boards which—

**Mr. Speaker:** The question has been asked.

**Mr. R. F. Johnston:** If I might, I am speaking particularly in my question about the expanding school boards which are already living through portables, which have had elementary-panel schools expanding by over 200 students this fall alone. What is the minister going to do to implement this plan and when?

**Hon. Mr. Ward:** As the member has indicated, last November we announced that funds would flow to school boards throughout this province beginning during the current general legislative grant process and in a way that would enable boards to hire additional teachers to be in place in the coming September. I expect the details of that program to be announced within a matter of weeks. Over the course of the past several months, we have had ongoing discussions with representatives of the teachers' federations and with representatives of the trustee organizations as we develop what we think is a very effective and responsible implementation plan. That announcement will be made over the course of the next two or three weeks.

**Mr. R. F. Johnston:** The minister knows, because he told us last November, that in point of fact the announcement should be made some time in February because school boards start doing their hiring for next year now. The minister will be aware that school boards in Waterloo, East York, York, Dufferin-Peel, York region, Toronto, Durham and others have all been advertising for permanent teachers for this fall in the newspapers already. Yet in discussions with all of those boards, we have learned that none of them has heard from the minister at all about how this is going to work, what they can expect for their boards or whether or not they are even going to be able to use it, because they are not sure whether or not they are going to have the space to be able to provide the teachers for the classes that are now supposedly going to be so mammothly reduced.

**Hon. Mr. Ward:** In response, I can only say that trustees in boards of education, through the Ontario School Trustees' Council, are well aware of the considerations that we have been undertaking over the course of the past few

months. At the same time, I made it quite clear in discussions with the boards as early as last November that it would be our intention to proceed with the necessary regulation and implementation plan in time for their hiring for the coming year. The indication then was that, provided the information was available by March 1, there should be no undue interference in their hiring process. That plan has been developed in consultation with both teachers and trustees and will be forthcoming in a matter of a couple of weeks.

## RENT REGULATION

**Mr. Cousens:** I have a question for the Minister of Housing. Yesterday we received supplementary estimates for her ministry which show that there will be an additional \$3.3 million for rent review services. This will raise the total cost of rent review services to a little over \$29 million, approximately 100 per cent more than it was last year. No other program in her ministry has increased as much.

Will the minister tell this House how she can justify pouring more and more money into rent review services that have become a bureaucratic nightmare for both tenants and landlords in Ontario?

**Hon. Ms. Hošek:** The rent review system is one of the very important ways in which we protect the situation of tenants so that they will be paying rents that are reasonable and not be asked to pay unreasonable rent increases. It is because of our commitment to those protections that we have given more resources to the rent review branch to make sure that the work is done as expeditiously as possible.

**Mr. Cousens:** I think the same speechwriter who prepared the minister's answers, not only to this question but to the ones by the Leader of the Opposition (Mr. B. Rae), must have written this illustrious piece in her annual report:

"The new rent review division has moved forward at full speed in the planned and orderly fashion mandated by the new legislation."

My quote, if it were in there, would be that the rent review division is going nowhere—this leads to my supplementary, Mr. Speaker.

**Mr. Speaker:** Good.

**Mr. Cousens:** Rent review has gone nowhere. This government has done nothing to solve the problems of renters and landlords. The minister is not going ahead at full speed because her systems are not working. There is nothing orderly about the way this government is handling rent control.

Will she finally admit to this House that the rent review program is a disaster, and at the very least will she allow a committee of the Legislature to study the Thom commission—

**Mr. Speaker:** Question.

Interjections.

**Mr. Speaker:** Order. Question.

**Hon. Ms. Hošek:** I will refrain from commenting on the speechwriter of the member for Markham (Mr. Cousens).

**An hon. member:** Comment. Comment.

**Hon. Ms. Hošek:** Should I comment on that? No, I will not do that.

I should say that I recognize with sorrow the difficulties that tenants and landlords have been placed in because our rent review system has not been working as quickly as I would like. I am not happy about that, and I do not think anybody else in this House is happy about that. However, we are working very hard to give tenants the protections that we promised them in that legislation and we will continue to do that.

Let me say, however, that even when our rent review system is working as well as I expect it to be eventually, we will not have solved all the problems of the people in this province with respect to housing issues. We have lots of other issues to address having to do with the cost of housing for people who want to buy housing and with those people now living in rental accommodation who still find it very expensive. Those are issues we will continue to work on, even alongside the work we do on rent review.

1430

#### FEDERAL TAX REFORM PROPOSALS

**Mr. Faubert:** My question is to the Minister of Culture and Communications concerning the federal government's proposed tax reform legislation and its adverse effect on Canadian artists. More specifically, with the removal of income-averaging provisions and the new expense restrictions in this federal tax reform bill, the arts community in Ontario has expressed concern that a number of Ontario artists may find their careers financially jeopardized.

Can the minister advise the Legislature of any action her ministry has taken or will take to encourage the federal government to listen to the needs of Canadian artists and to amend its proposed tax reform legislation?

**Hon. Ms. Oddie Munro:** Going back to 1985, this government submitted to the federal government what we considered to be a creative tax reform proposal. It was submitted not only to

the Minister of Finance but also to the Minister of Communications. After that, we debated the merits of the Status of the Artists report, the Bovey report and also the Financing of the Individual Artists report.

In the case of this particular tax reform legislation, a number of concerned client groups have asked for our advice. We have consulted and, in effect, we have told them to take advantage of our resource material and get back to the federal government. We have also, through our ministry, submitted to the Ontario Treasurer a tax reform proposal, particularly on such aspects as capital cost allowance on film.

I will be bringing back to our ministers' discussion, when it is held again, the whole plight of the individual artist right across the province. I will not necessarily be looking forward to, but I will be examining the Wilson budget which comes down today.

**Mr. Faubert:** I would like to thank the minister for that response. In observation, I was also pleased that the Ontario government is maintaining its commitment to the arts by providing approximately 3,400 grants worth \$24 million to the arts community, funds committed in the last fiscal year through the Ontario Arts Council. In light of the federal government's apparent lack of concern about and support for Canadian artists, as indicated through the proposed federal tax reform legislation, can the minister assure this House that the Ontario government will continue its high level of support to Ontario's artists through the Ontario Arts Council?

**Hon. Ms. Oddie Munro:** I have no problem with that question because we will continue to support the individual artist. We do it in a number of ways, in some instances through the Ontario Arts Council. We gave them \$25.8 million in 1986-87 and \$27 million in just this closing fiscal year.

What we intend to do also is to let more people know the economic impact of individual artists. We have approximately 250,000 artists, who bring into this economy, to their own revenues, \$4.5 million. The impact on the general economy reaches in excess of \$7 million. We also continue through our ministry to go out and market the works of Canadian artists and we encourage our agencies and the business sector to display works of Canadian art in their own public spaces. Last year we went on a tour through the north, which we called a Sounding, to see if we could provide other assistance.



## HUMAN RIGHTS

**Mr. Hampton:** My question is to the Minister of Citizenship, the minister responsible for the Ontario Human Rights Commission. The minister will remember that in 1986 the Human Rights Code was amended by Bill 7 in order to ban discrimination against families with children for the purposes of accommodation.

From this side of the House, we protested that the language presented in Bill 7 was not strong enough and would not ban discrimination, that discrimination could go on. The Attorney General (Mr. Scott) said at the time: "No problem. The language is good enough. The language will prohibit discrimination." But two weeks ago, lo and behold, from the district court came a decision that the language is not good enough, that a condominium corporation can enforce its bylaws even in spite of the Human Rights Code in terms of the sale of a condominium to a woman with child.

**Mr. Speaker:** Question.

**Mr. Hampton:** In view of the fact that the language would now appear not to be adequate, what is the government going to do to tighten up the language to ensure that it is prohibited to discriminate against families with children in terms of accommodation?

**Hon. Mr. Phillips:** I appreciate the opportunity to clarify the situation for the members in the House. The human rights commission informed me on Monday that it will be requesting a board of inquiry. That will be coming before me, I think today, and I will be requesting a board of inquiry into this matter.

I think it is fair to say that it is clear that when we wrote the amendments, it was our anticipation that adult-only condominiums would be banned. So we will be appointing that board of inquiry, which will be looking into it very shortly. I anticipate that within the next 30 days it will meet, and we should have a clarification of that in the very near future.

**Mr. Hampton:** It is good and fine to say there is going to be a board of inquiry, but as we all know the board of inquiry may not get under way for some time. Boards of inquiry are notorious for taking a great deal of time to deal with the issue. Then the decision of the board of inquiry might be appealed, which would very likely be the case were the condominium corporation to face an adverse decision. It could take a great deal of time for this decision to be decided via the human rights commission and the courts.

We have a private member's bill that would make it very clear that discrimination against families with children in terms of accommodation would be prohibited. Would the minister not agree that it would be better to proceed by that route and deal with the situation immediately rather than let it drag on through the human rights commission and the courts for a long period of time?

**Hon. Mr. Phillips:** Actually, I do not agree. The fastest way to proceed is the way we are proceeding. As I said earlier, we will appoint a board of inquiry this week. It will meet within a month. When the committee examined this a year ago, it determined this was the best way to deal with it. We will have clarification of it. I think it is the fastest, most expeditious way of doing it and that it will clarify it quickly for us.

## SOCIAL ASSISTANCE REVIEW BOARD

**Mr. Runciman:** I have a question for the Minister of Community and Social Services. The minister will recall that a few months ago I asked him about his government's stuffing of the Social Assistance Review Board with friends of the Liberal Party. The former government staffed, versus stuffed, this board with part-time appointees and the minister has chosen to make it a full-time patronage plum.

We have been advised that as a result of the minister's actions the budget for the board has more than doubled. Will the minister confirm this and try to explain the rationale behind it?

**Hon. Mr. Sweeney:** The honourable member will be aware of the fact that the previous board consisted entirely of part-time people. They were assigned on a part-time basis but for all practical purposes worked on a full-time basis. They were out in the field four days a week and on the fifth day were in the office writing up reports, having meetings, etc. This created a considerable amount of difficulty in terms of the effective and efficient administration of that board.

When this government decided it wanted to restructure and reorganize it, we did so along a dual model.

First of all, there would be from 10 to 12 full-time people on the board, who would act as the permanent vice-chairman of the entire organization and the chairmen of all the three-member committees that would sit around the province. The second component would be a number of part-time people registered in various sections of the province so that they would not have to travel great distances and therefore generate unnecessary costs. This process is under

way right now; therefore, that model is costing more than the previous one.

The second major thing we have done is to recognize that there were totally inadequate legal staff, totally inadequate administrative support staff and totally inadequate office facilities to do a decent job.

I would remind the honourable member that this board, which is independent even though it reports to this Legislature through me—

**Mr. Speaker:** Order. Supplementary.

1440

**Mr. Runciman:** The irony is that the minister says we had part-time employees who were working full-time. Now they are paying full-time appointees at least twice as much as the part-time appointees who were supposedly working—

**Mr. Speaker:** Supplementary.

**Mr. Runciman:** The truth is that this fat-cat government has packed the board with cronies. They are shuffling them up to the trough and feeding them whatever they want.

**Mr. Speaker:** Supplementary.

**Mr. Runciman:** Will the minister confirm that just a few months after hiring these people, he authorized a 10 per cent increase in their salaries, bringing their lick at the trough up to \$61,000 a year? How does he justify this continued gouging of the taxpayer?

**Hon. Mr. Sweeney:** We indicated very clearly that we were going to hire a number of full-time people on an annual salary rather than on a per diem. We went out and hired efficient, effective, competent people who could do the job. That was not the case before. We are prepared to pay fair and equitable salaries in order for that to happen. We have thousands of citizens of this province who have the right to appeal to this board and have the right to be heard by people who are well versed and well trained.

Interjections.

**Mr. Speaker:** Order. I remind all members that there is a standing order which says the member recognized will speak and all other members will not speak.

#### WINTER ICE CONDITIONS

**Mr. Owen:** I have a question for the Solicitor General. Every winter Lake Simcoe and other inland lakes in this province freeze over. Every winter we have problems with pressure cracks, thin ice and open water areas. Every winter residents of this province persist in driving heavy vehicles such as cars, trucks and jeeps out on to

the ice surfaces and every winter we have loss of life with these heavy vehicles trapping the people, going through the ice and drowning them. This winter has been no exception. Again, we have had loss of life. The situation always seems to be worsened when we have periods of mild weather, and that too has happened this year.

Will the minister try to have an inquiry or an investigation made by the Ontario Provincial Police to look into possibly banning heavy vehicles from these ice surfaces in order to prevent further loss of life taking place?

**Hon. Mrs. Smith:** I would indeed be interested in looking into this and having the police advise me about this as far as cars are concerned. I was recently in Kingston. Kingston has made a law that cars cannot go on the water adjacent to the city of Kingston, which they had been doing up until that time. It may be that where it is strictly provincial territory, provincial legislation may be necessary.

As far as snowmobiles are concerned, I believe we have the same problem there that we have with dirt bikes and this sort of thing, that they are not in the properly licensed territory. This would be a problem I would have to take up with the Minister of Transportation (Mr. Fulton) to see if we can some way draw them into the category of cars so that the same rules apply. I will be glad to look into that.

**Mr. Owen:** By way of supplementary, snowmobiles are not quite in the same category of heavy vehicles because people are not entrapped. Granted snowmobiles are going through the ice as well, but there is a greater opportunity for people to escape drowning. Will the minister look into the possibility with snowmobiles? At the present time we rely upon the media through newspapers, radio and television stations to let people know where there are dangers.

Is there some possibility or some way in which the OPP could get the information out about the dangers on the ice for snowmobilers to some of their agencies so that it is printed and made available? People could maybe phone somewhere. Just as they can get traffic information or weather information, they could get information about the lakes and snowmobile operations.

**Hon. Mrs. Smith:** I would be glad to inquire into this, but I point out the difficulty of determining in so many different areas because the depth of the water has so much effect on the degree of freezing and so on. It might be quite difficult for people to do this, because by taking on this responsibility of giving good notice they



would also take on the responsibility when they failed to tell people the water was not safe. It seems to me it is quite possibly a difficult matter to do.

### EMPLOYMENT OPPORTUNITIES PROGRAMS

**Mr. Allen:** I have a question for the Minister of Community and Social Services, going back to the issue of community economic development programs which were part of the new employment opportunities put in place under the federal-provincial agreement for employability programs for people on social assistance.

Community organizations are very angry about the minister's preselected basis for working this program. Why Hamilton or why not Windsor, for example, an equally well-organized community? They also are very upset that the government has put on a fast track the development of community economic development programs which are inherently slow-track in terms of development. Third, the co-operative sector is very annoyed that since co-operative small businesses are part of the priority emphasis of this program, it—for example, Credit Union Central and Co-Operative Work—was not consulted in terms of developing the programs.

If the minister looks at a study of this kind of development in Quebec, he will find it is very difficult to field and it failed for want of preparation.

**Mr. Speaker:** The question is?

**Mr. Allen:** What is the minister doing in Ontario to make sure that what is obviously a very attractive idea does not fail but succeeds, working for people who are on social assistance and for the community at large?

**Hon. Mr. Sweeney:** When the various ministers across Canada met with our federal counterpart, it was made fairly clear to us that we would try some innovative, imaginative approaches to compensate for the fact that many of the programs that were currently in place were just not producing the results we wanted. In order to move very quickly, given the very short time span we have to work with—this is a two-year program, and at the end of that time the federal government can choose not to continue to participate in it—other jurisdictions simply applied the dollars to programs that were already in place and solved their difficulties that way.

In turn, we in Ontario wanted to look around for some more creative and innovative ways to do things. The honourable member has referred to one of those. At the same time, we did not have a

lot of time. We simply could not sit back and wait for proposals to come in to us. We had to go out into the field and find some opportunity we thought would work over the short period of time so we could demonstrate what the possibilities were.

I believe I indicated to the honourable member yesterday that at the end of the two-year period we will be able to go back to our federal colleagues and say: "Here are the things that we have tried. Here is the evidence of success or lack of it. Here are the kinds of other things we would like to try, things we would like to continue, things we would like"—

**Mr. Speaker:** Thank you.

**Mr. Allen:** If the minister wants to go back to the federal minister and point to his successes, he has to do things properly. He has to give places like Hamilton time to develop those programs. They got word in mid-December. Nothing could get started before the Christmas holidays. They had 20 days in the course of January to develop programs that could be \$1 million in scale and they had to meet a complex set of requirements from the ministry. The minister simply cannot put community economic developments in place that fast. It just will not work.

**Mr. Speaker:** The question.

**Mr. Allen:** The example the minister got from Hamilton is a very makeshift, part-time project, as its author will readily acknowledge. In the light of the fact that Benoît Bouchard has just announced the doubling of the financing of this program yesterday, obviously is enthusiastic about it and will be extending the period—

**Mr. Speaker:** Question, please.

**Mr. Allen:** —will the minister please give the communities of Ontario time to develop these programs so that they may succeed and then he will have an argument with Mr. Bouchard a year and a half down the road that he would not otherwise have?

**Hon. Mr. Sweeney:** The honourable member is aware that this program triggered in on April 1 of the past year. In a number of municipalities, we gave the kind of wide-open timing that he talked about. Quite frankly, after several months we did not see any evidence of movement. The staff of my ministry had to go into those municipalities and, quite frankly, work with them on a closer basis than had been the case before to get something started, because it was such a short time line. We want success, just as the honourable member does. We are quite

prepared to work with these various organizations, but we have to get the thing started.

1450

I am delighted with the comment the member just made and the fact that the federal government is obviously beginning to see some results from some of the things we have already done. But that is precisely what was necessary. We had to get some things up and rolling. We had to get them started. We had to show evidence that it could be done. And keep in mind that we are talking about people who are on our social assistance rolls, who in many cases do not have a wide range of skills, who need some training, who need some support. That is all part of this program.

#### RETAIL STORE HOURS

**Mr. J. M. Johnson:** Just for a change of pace, I have a very short question of the Minister of Consumer and Commercial Relations. Since I assume the minister supports the intention of the Premier (Mr. Peterson) to drag opponents of Sunday shopping into the future, is it the intention of the minister to instruct the beer and liquor stores to be open on Sunday in those municipalities which opt for Sunday opening?

**Hon. Mr. Wrye:** Decisions as to such openings are normally made by the Brewers' Retail or by the Liquor Control Board of Ontario. I am sure in this case they would make that decision.

Interjections.

**Mr. Speaker:** Order. The member is waiting to ask a supplementary.

**Mr. J. M. Johnson:** Before moving in this ill-conceived direction towards wide-open Sunday shopping, did his government not give any serious consideration to this event happening, that the liquor stores and beer stores may be requested to stay open to fulfil the Premier's dream for a new society?

**Hon. Mr. Wrye:** I really think that if my friend has some concerns, he might want to express those concerns to the chairman of the Liquor Control Board of Ontario. I think he knows that individual, an outstanding gentleman his previous government appointed, the former chief of police for Metropolitan Toronto, Jack Ackroyd. Indeed, the member may want to get in touch with the Brewers' Retail and with the breweries which are responsible for that organization and express his point of view to them.

#### VISIT OF PRIME MINISTER OF YUGOSLAVIA

**Mr. Sola:** My question is to the Premier. The Prime Minister of Yugoslavia, Branco Mikulic, has arrived in Canada and will be attending a state dinner in Toronto. Yugoslavia is a state with a well-documented history of human rights abuses. It subjects its citizens to arbitrary imprisonment, torture and brutal acts of oppression.

It is also known that Yugoslavia not only sponsors international terrorists but has also been a safe haven for the likes of Carlos the Jackal, Abu Abbas and the German Red Terrorist group, the Baader Meinhof gang.

The Croatian community of Ontario would like to know why we are cordially receiving the Prime Minister of a state which supports and perpetuates a regime that not only represses its own peoples, in contravention of the Helsinki accord, but also is known to support the international activities of other terrorist states.

**Hon. Mr. Peterson:** I appreciate the question of the honourable member. He is quite right, the Prime Minister of Yugoslavia is visiting. As I understand it, the Lieutenant Governor is hosting a dinner for him. I also understand that, as the last host of the Winter Olympic Games in Yugoslavia, he will have some official duties in Calgary as well. I have been told that he is meeting with the Prime Minister, the leader of the federal Liberal Party and the leader of the federal New Democratic Party as well.

I appreciate the point that the honourable member is making with respect to the allegation of human rights violations in Yugoslavia. At this point, our country has normalized diplomatic relations with Yugoslavia. That does not for a moment imply that we, or I assume even the federal government, support all the things they do in that particular regime, and that would apply, of course, to many other countries as well. This province has joined the federal government in registering certain protests with the government of Yugoslavia with respect to allegations of human rights violations.

I just say to my friend, I understand his concern. I do not think respecting, shall I say the diplomatic niceties, in any way condones any particular behaviour of any other foreign government.

#### WINDSOR SYMPHONY

**Mr. D. S. Cooke:** I have a question of the Minister of Culture and Communications. The minister is well aware of the financial problems



the Windsor Symphony is having and she will also be aware that it is five days from the day it will go bankrupt because of lack of money. She has met with the city. She has met with representatives from the symphony. Is she ready today to announce that she will come through with the \$300,000 that has been requested as part of the rescue package?

**Hon. Ms. Oddie Munro:** The member was present at the meeting where we received the representation from the symphony with great sympathy. Present at that meeting also were members of the Ontario Arts Council and members of our ministry. My recollection is that we agreed to a contingency package to help the symphony out of its deficit situation at the moment, which is not to be regarded as a bail-out.

They, in turn, were to go back and visit their federal friends to see if funding was available there. I understand their fund-raising is proceeding well above expectations, and we are at this moment still consulting on what kind of support we can provide to that orchestra.

**Mr. D. S. Cooke:** I am not quite sure what the minister's answer is, whether the province is committed to the \$300,000 or not. It is five days until they go into bankruptcy.

The minister will also be aware of the inadequacy of the provincial funding through the Ontario Arts Council and the fact that our Ontario Arts Council said very clearly the problem is that the minister has not properly funded the arts council in Ontario.

The fact is that Windsor gets less funding for its symphony than communities like Hamilton, Kingston, London, Kitchener-Waterloo, Thunder Bay and Toronto. Is the minister prepared on a long-term basis to fund the Windsor Symphony on a regional basis so that we can get the symphony operating properly and not go from crisis to crisis?

**Hon. Ms. Oddie Munro:** I appreciate the commitment of the member to the symphony orchestra in Windsor and, indeed, we are committed to assisting that orchestra to maintain itself as a regional group.

We have a number of problems, as the member is aware, including the lack of administrative and management skills of the then director of the orchestra. All I can say to the honourable member is that this raises questions for orchestras right across the province and we have to handle our dollars in as accountable a way fiscally as possible. We are still negotiating with Windsor

on the amount of support and the kind of support Ontario can provide.

#### REGISTRY OFFICE

**Mr. Wiseman:** I have a question for the Minister of Government Services. There have been many rumours in the community of Almonte over the last few months that the registry office there will be moving to the township of Ramsay. I was pleased today to receive a copy of a letter sent to the mayor saying that the registry office would remain in Almonte, as stated by the Minister of Consumer and Commercial Relations (Mr. Wrye), but that the location would be worked out by himself and the Minister of Government Services.

In view of the fact that the former Minister of Government Services, the member for Renfrew North (Mr. Conway), now the government House leader, had studied the locations for almost two years, is the minister ready today to tell us and the people of Almonte when the registry office will be built and if it will be built on the land that was set aside by the community for that purpose?

**Hon. Mr. Patten:** I thank the honourable member for his question. Unfortunately, I do not have the answer for him this afternoon. I will look into that and report back to him within a matter of days.

**Mr. Wiseman:** At the bottom of the letter, it mentioned that studies would have to go on within the community. In view of the fact that the former Minister of Government Services spent almost two years studying this and was at the point of making a decision, does the minister not figure it has been studied long enough, and would he make that decision soon?

**Hon. Mr. Patten:** I would hope to gather the accumulated wisdom as a result of these studies so that we can expedite a decision.

1500

#### PETITIONS

##### COMMUTER PARKING LOT

**Mr. Adams:** I have two petitions. The first is from 55 people and it concerns a parking lot in Whiterocks Estates, Cavan township. It is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation proposes to construct a 24-hour-per-day parking lot, with its inherent noise, congestion and litter,

in our subdivision known as Whiterocks Estates; and

"Whereas there are several more suitable locations nearer Highway 115; and

"Whereas the proposed parking lot will have detrimental effects on us and future home owners, as well as Highway 115 commuters using the proposed parking facility;

"Therefore we support the plans to expand and improve Highway 115 and request that consideration be given to relocating the commuter parking facility to a more suitable location a reasonable distance away from the residential areas of our community."

#### RETAIL STORE HOURS

**Mr. Adams:** I have a second petition. This one concerns Sunday closing. It is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are against Sunday opening of retail stores."

#### MINERAL CONCENTRATE TRANSFER FACILITY

**Mr. Pouliot:** I have a petition signed by some 200 people in the northwest community of Schreiber. They are simply asking that a mineral concentrate transfer facility be relocated because it does cause a health and environmental hazard.

**Mr. Speaker:** Order, please. There are a number of members trying to present petitions. It is very difficult to hear. If you have any private conversations, would you keep them down, please.

#### HIGHWAY CONSTRUCTION

**Mr. Sola:** I have a petition here stating:

"We, the undersigned residents of Mississauga, voters and taxpayers, being extremely concerned about the potential damaging impact of the proposed extension to Highway 403, do hereby respectfully petition our elected officials as follows:

"We request formal public review of the terms under which this proposed artery was first introduced under the auspices of Bud Gregory and how those terms have radically changed to the presently intended construction. We represent a fraction of the approximately 6,000 to 10,000 residents of the Rockwood area, and all of us again are but a fraction of those involved from Highway 10 through to about Renforth Drive. However, we wish to be expedient. More

concerned residents can easily be added to this list when desired."

It is signed by 101 members.

#### RETAIL STORE HOURS

**Mr. Swart:** I have a petition here from 32 members of the First Baptist Church in Thorold in which they state:

"Yes, I support maintaining Sundays and holidays as days of rest, oppose any relaxation of the Retail Business Holidays Act, and add that this congregation also believes the Ontario government has neglected to give us good government by casting the responsibility to control Sunday shopping on local municipalities. This too will create great confusion and disharmony.

"We appeal to the government to give us leadership and stop leaving important decisions to the loudest or greatest financially backed pressure group."

#### NATUROPATHY

**Ms. Poole:** I would like to present a petition to the Legislature today which is signed by 50 people. It calls on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment.

#### RETAIL STORE HOURS

**Mr. Runciman:** I have two petitions to the Lieutenant Governor in Council. One bears several hundred signatures. It reads:

"We do not need nor want Sunday shopping. Put yourself in the position of the province's retail employees who will have to spend Sundays at work instead of with their families. Show us you care."

#### ABORTION

**Mr. Runciman:** I would estimate the second petition has about 100 signatures.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We deplore the provincial government's decision to pay for the unrestricted slaughter of unborn Ontario children under the Ontario Health Insurance Plan."

#### INTRODUCTION OF BILLS

##### HIGHWAY TRAFFIC AMENDMENT ACT

Mr. Wildman moved first reading of Bill 96, An Act to amend the Highway Traffic Act.

Motion agreed to.



**Mr. Speaker:** A brief explanation?

**Mr. Wildman:** This bill prohibits the use of spare tires that are not of the same type or size as the other tires on the vehicle. It removes the exemption now allowed for so-called doughnut temporary spare tires, which are not anything but a nuisance.

#### HUMAN RIGHTS CODE AMENDMENT ACT

Mr. Reville moved first reading of Bill 97, An Act to amend the Human Rights Code, 1981.

Motion agreed to.

**Mr. Speaker:** Do you have a brief explanation?

**Mr. Reville:** The purpose of the bill is that to which my colleague the member for Rainy River (Mr. Hampton) alluded earlier in today's question period, the fact that the Human Rights Code provision protecting families, parents with children, from discrimination in rental accommodation, residential accommodation, was not in fact seen to be sufficiently strong by the courts. In fact, we have done the government's job for it. We have written some strong language which it would do well to immediately adopt.

#### PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT

Hon. Mr. Fulton moved first reading of Bill 98, An Act to amend the Public Transportation and Highway Improvement Act.

Motion agreed to.

**Hon. Mr. Fulton:** Mr. Speaker, I would like to draw your attention to four highlights of the proposed legislation. In particular, I would point first to an amendment which would allow the establishment of a passenger terminal program for municipalities in Ontario with populations under 20,000. Under this program, financial assistance will provide for improvement and upgrading of rail and intercity bus terminals, benefiting the travelling public and boosting tourism potential.

The other amendments previously introduced permit the eligibility of funding for development roads in southern Ontario. Until now, this type of funding was provided only to towns and villages in northern Ontario.

A further amendment will give counties the legislative authority to regulate the construction and alteration of entrances providing access to county roads. I would like to mention the efforts made on our behalf by the member for Middlesex (Mr. Reycraft) in this regard.

Another amendment will permit county councils to determine the composition and qualifications of their road committees, and it will further clarify the authority of these committees and allow for an increase in their size up to a maximum of 10 members.

The legislation contains several other amendments, and I am sure these will be detailed as this legislation proceeds through this Legislature.

1510

#### MINISTRY OF TRANSPORTATION AND COMMUNICATIONS AMENDMENT ACT

Hon. Mr. Fulton moved first reading of Bill 99, An Act to amend the Ministry of Transportation and Communications Act.

Motion agreed to.

**Hon. Mr. Fulton:** This act reflects the recent reorganization of the ministry as the Ministry of Transportation. This legislative change is necessary to provide continuing authority and administration powers and duties which previously had been assigned to the Ministry of Transportation and Communications.

At the same time, I would like to take the opportunity to include a provision which would provide immunity from actions for damages to any ministry official acting in good faith and within the scope of his or her authority. This provision is already part of the statutes of a number of other ministries.

#### ORDERS OF THE DAY

House in committee of the whole.

#### ONTARIO AUTOMOBILE INSURANCE BOARD ACT

Consideration of Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates.

Section 3:

**The Deputy Chairman:** I believe when we completed yesterday we were considering an amendment to section 3, known as subsection 3(1a). I believe the debate was adjourned. Is there any other speaker who wishes to speak to that particular amendment?

**Mr. Swart:** We are still on it.

**Mr. Hampton:** There are just a couple of further comments that I want to make in support of the amendment, basically just to summarize what I said yesterday. We are strongly of the view that the language that is in the section now is not sufficient to ensure that the interests of

consumers are going to be adequately represented on this board.

**Hon. Mr. Conway:** On a point of order, Madam Chairman: I beg the indulgence of the House and of the member for Rainy River (Mr. Hampton), but I would just like to seek consent to allow staff to join the parliamentary assistant on the floor of the chamber, if that is all right.

**The Deputy Chairman:** Pursuant to the standing orders, the staff may take a seat in front of the parliamentary assistant.

**Mr. J. B. Nixon:** Just when you were getting wound up.

**Mr. Hampton:** Just when I was getting wound up, yes.

To repeat, we are strongly of the view that the language that is in the bill at this time setting out that consumers, the public and insurers shall all be represented on the board is not language which is strong enough to ensure that consumers will have the representation that is due them. We prefer language which indicates that at least 50 per cent of the members of the board shall be representative of consumers. That is our reason for putting the amendment, and we are strongly of the view that the adoption of that amendment will protect the consumer interest on this board, whereas the language that is there now will not. Those are my comments on that amendment.

**Mr. Swart:** Very briefly. My colleagues the member for Cambridge (Mr. Farnan) and the member for Rainy River covered this matter quite thoroughly.

However, I just want to add one comment, and it is this. The parliamentary assistant will know that when this bill was originally submitted—in fact, when it went to the committee—the job that the rate review board had to do was solely that of determining rates. He has now expanded that, as he knows, so that after the classifications are first set the rate review board will also have the responsibility of determining classifications. That is terribly important, almost as important as determining rates.

I suggest, therefore, that the composition of that board becomes even more important, that there is a very real necessity that there be at least as many people there representing the motorists, the various consumers. There are many of them, from the trucking association to the motor coach association to the general motorists to the taxis, and we now more than ever need at least 50 per cent representation for consumers.

**Mr. J. B. Nixon:** Just in final response, the member for Cambridge made much commentary

to the effect that this board is effectively a very narrow window of—I hesitate to say it—opportunity for the government to look in on the insurance industry, which I suggest, if I may, is a completely inaccurate characterization of the job of the board.

The job of the board is to have public, open hearings, and my friends opposite will have every right to sit in those hearings, appear at those hearings, make arguments. Indeed, the whole idea behind the board is that it is a public, open hearing process and that any person or corporation or unincorporated association, even including a labour union, would be entitled to appear, make submissions, make arguments.

I suggest that the job of the board being as it is, to hear evidence governed by the rules of natural justice and to treat all parties fairly, it imposes on the members of the board a very serious obligation. I suggest that the definition or the description of the members who shall sit on the board as prescribed by the government's section 3 is far broader and far more encompassing than the narrow, restrictive and artificial definition put forward by the opposition.

I have elaborated on the problems that would result from the opposition's proposal. Most particularly, it does concern me that there are a number of people whom the government may want to contemplate appointing but whose appointment would become subject to the type of debate where we nitpick through their career, through their background to determine whether they truly represent consumers or whether they truly have the approval of some consumer association unnamed in the legislation.

For that reason, I suggest that the proposal of the government should be accepted. The proposal of the opposition is inaccurate, incomplete, artificial and unworkable.

Interjections.

1520

**The Deputy Chairman:** Order.

Mr. Farnan has moved that subsection 2 of section 3 of the bill be amended to read:

"(1a) At least one half of the members of the board shall be members of consumer associations or persons representative of the interests of consumers."

Is it the pleasure of the committee that the motion carry?

All those in favour will please "aye."

All those opposed will please say "nay."

In my opinion the nays have it.



**Mr. Swart:** Stack it.

**The Deputy Chairman:** It is my understanding that the standing orders indicate that unless there are five members standing, it must be declared lost. In my opinion, then, I declare the motion lost.

**Mr. Swart:** We have five.

Interjections.

**The Deputy Chairman:** Order. There are five members standing in their place. May I have an agreement that the amendments be stacked to the end of this sitting?

Agreed to.

Vote stacked.

**The Deputy Chairman:** Are there any further amendments to section 3? If not, are there any other amendments to be made to the bill?

**Mr. Swart:** Madam Chairman, you will have additional amendments before you, to section 11. You have two amendments before you. I would like to move them as one amendment, with your permission, because they deal with the same section and because it will be tidier and more expeditious.

**The Deputy Chairman:** Before I put the question with respect to your amendments, may I have an indication that sections 4 to 10 will carry as part of the bill?

Sections 4 to 10, inclusive, agreed to.

Section 11:

**Mr. Swart:** I apologize that they are on two separate sheets but I think it is more expeditious to deal with them in this manner.

**The Deputy Chairman:** Mr. Swart moves that the following subsections be added to section 11 of the bill:

“(4a) The board shall give notice of its hearings to every person listed in the registry established by subsection 14a(1).”

“(4b) Where the hearing is other than an industry-wide hearing, the board may use its discretion as to the notification of those persons listed in the registry.”

Before you speak to that, I bring to your attention that the first amendment you have moved indicates it is to deal with subsection 14a(1), which is not a section of the bill but is a proposed amendment to be made, a proposed subsequent amendment. There are two ways we can deal with this. The committee may postpone the consideration of this particular amendment that refers to subsection 14a(1) until that proposed amendment has been added to the bill or has been dealt with, or the committee may

agree to consider the amendment for subsection 11(4a) together with the amendment proposing section 14a.

**Mr. Swart:** I leave it in your hands. It does not matter to me. I thought perhaps you might permit me to refer to section 14a, which, of course, is really part of it, in dealing with this amendment to section 11.

**The Deputy Chairman:** I cannot let you refer to it unless you are going to move your amendment to section 14a, because it is just a proposed amendment. It is not an amendment that is before the committee.

**Mr. Swart:** Would you permit me to move section 14a at this time, to move all three together?

**The Deputy Chairman:** Does the committee consent to these three amendments being moved together?

Agreed to.

**The Deputy Chairman:** Mr. Swart moves that the following section be added to the bill:

“14a(1) The board shall establish a registry of persons to whom notice of its hearings shall be given under subsection 11(4a).”

“(2) Any person who makes a request to the board shall be included in the registry mentioned in subsection (1).”

**Mr. Swart:** I wish to speak to this. This, of course, is an amendment—in fact, two amendments—that were submitted in the committee and were voted down by a majority of the committee.

I am going to ask the parliamentary assistant—and I hope he has the power to do this—to consider that this is a friendly amendment and ask him to agree to this amendment. I suggest this amendment is so reasonable that it should not be opposed by the government.

What this deals with, I think, is apparent to every member of the House. It is with regard to notifications of industry-wide hearings. The bill provides that the board shall give appropriate—I think that is the word—notification of any industry-wide hearing. I would suggest that that would usually mean notification in the newspapers. That is the normal way of doing it. In addition to that, the bill says that every insurer shall be notified.

What we propose here is just simply that there should be a registry set up where anybody who wants to be notified of these hearings should in fact be able to have his or her name, association or business recorded so he or she will know if a hearing is taking place.

It seems reasonable that this should be done for a number of reasons. First, of course, people often do not see that sort of notification in the paper. There are a lot of notifications in the paper, and if they are not particularly looking for something, they may not see it. Second, there are parts of this province that are so far removed from the Toronto area that they may not receive notification even in the paper. They are distant from even a daily paper and may not see these notifications.

I can think of our hearings in Sudbury, and I want to remind the parliamentary assistant of this, when the truckers there—and I have forgotten the name of that truckers' organization, the dump truck organization—said: "Why did we not hear about these hearings? We would never have known about it if Mel Swart's office had not called to let us know that these hearings were taking place."

Those sometimes unsophisticated organizations that do not represent a great many people but in fact are organizations that have a real concern about a rate change or, I suggest to the parliamentary assistant—and I hope he is listening to me—a classification change, should really be able to say, "I would like to know about every industry-wide hearing, whether it is with regard to a rate change, an application for a rate increase or whatever the case may be."

**1530**

If I remember correctly, the parliamentary assistant said in committee that you would get an awful lot of people who would want to register. I suggest that is not the case. I suggest you would only get those people who are really interested. You may get one, two, three or four people who always like to go to hearings and make a fuss, but I suggest to the parliamentary assistant that the exclusion of those is much overbalanced by the exclusion of people who have a very vested interest in those hearings and should have a legitimate right to be at those hearings.

I ask that the government give very serious and favourable consideration to this. I suggest that if this sort of thing is turned down, it will put a bias in this bill. They are going to notify every insurer, which is 160 or 175, and yet other people in society, the consumers of this, those who are going to have to pay those rates, are not necessarily going to know about it. They may want to know about those hearings but not necessarily want to go to them. I leave that with the parliamentary assistant. I hope he will rise in his place, say it is a reasonable amendment and accept it.

**Mr. J. B. Nixon:** I wonder if a member of the third party would like to speak to it.

**The Deputy Chairman:** Does any other member wish to speak to the amendment?

**Mr. Runciman:** We do not support it.

**Mr. J. B. Nixon:** It is, like many things my friend has proposed, noble in conception but it is not something that is appropriate in execution. The execution, the costs and the disadvantages, to my point of view far outweigh the advantages.

Let me put it to the member that you have the possibility, under the present act and proposals, of achieving a better result than what he is suggesting here. The present act, if I can refer him to it, provides under section 12, first, that the board shall make rules governing its conduct and management and, second, "determine, with respect to any particular hearing, what constitutes adequate public notice." Third, subsection 11(2) of the act reads, "The board shall give adequate public notice of its hearings to the public."

We have set up a statutory standard for notice. The member may know that the decisions of the courts of this province have been quite strict in their interpretation of what that means. When I use the adjective "strict," I am suggesting the courts will bend over backwards to ensure that all interested parties will have notice of a hearing which may affect their position in relation to whatever matter that particular board governs.

The member has referred to—I believe it was a decision of the joint board or the Ontario Energy Board—the southwestern transmission hearings. He knows very well, I believe, that it was a decision of the court which overrode a decision of the board and suggested to the board that it must go back and give adequate public notice to all interested parties and convene the hearing from the very start.

What I am concerned about is that the member's proposal suggests we establish a registry and that the registry could be relied upon by the board in its defence if a complainant alleges he or she did not have adequate public notice. The board could stand up and say, "The statute says we give notice to those people who are listed in the registry." That may very well be their defence.

I am suggesting the idea is noble in conception, but what it results in is a result the member does not want and we do not want. Aside from the extra administrative burden associated with this registry, I need only remind the member that stamps are 37 cents. If there are one million people out there, that is one third of a million



dollars, not to count the mailing and the letterhead and the time preparing the letter.

The essential point is that, by creating this registry, the member suggests that will become proper notice and the vehicle for assuring there has been proper notice. On the contrary, I suggest to him, that limits the amount of notice, because only those people in the registry become entitled to notice. All others become secondary, on the periphery or tertiary to the member's concerns. The board could very well stand up and say: "We had seven people in the registry and we notified them. That is what the act says we should do, so that is well and good."

We do not want that result and I do not think the member does. I think that on rethinking his amendment, he may even consider withdrawing it. Certainly I cannot consider accepting it as a friendly amendment for the very reasons that I have outlined.

**Mr. Swart:** I cannot let that go by without reply, because certainly the parliamentary assistant has endeavoured to misinterpret what we are doing. No place does this say that this would constitute proper notice if everybody who was on the registry list was notified. It does not say that at all. They still have the right under this to determine what constitutes adequate public notice. Of course, that would be in addition to what they might do with regard to newspapers and that sort of thing with regard to public notice. This just simply ensures that those people who want to know about the hearing will know about that hearing so they can be there and make a presentation, because there is no other way of ensuring it. It puts the onus on them.

The parliamentary assistant knows and knows very well, having been to many Ontario Municipal Board hearings, there has to be some specific omission before the board will rule that there will have to be a rehearing or some change. If there was a notice in the Sudbury paper, perhaps, a small notice that there was going to be this hearing on a general hearing application for rate changes, and people operating a trucking firm did not see it in the paper and the hearing took place without them and there was an increase in their truck rates of \$2,000 a year, no board in the world would rule that it would be thrown out because they were not notified when it was in the paper.

What we are trying to ensure is something fair. I suggest it is extremely reasonable and it should be done. If we do not do it, it is bias in favour of the insurers against the consumers.

**Mr. J. B. Nixon:** I have just two brief comments. My friend opposite makes reference to the public hearing process the committee went through. I would remind him that we did receive many, many briefs. I understand there were over 60. It was a good exercise. I think the member even commented that it was a good exercise in the democratic process and that the bill was improved as a result of it.

I say to the member, if he goes out and tells people that this hearing is taking place and he advises them and they show up, there is nothing wrong with that, there is nothing devious about that, that is the purpose of the hearing. He has made the process better and he would be entitled to do that when this board operates and when it has its hearings.

The other thing I would say is that we on this side of the House and that end down there have a little more faith in the rule of law and the way it operates. I suggest that if one individual wrote to the board and said, "I have a specific interest in this part of the classification system and the rates that are set on it and I want to be heard or have an opportunity to be heard when and if that matter is dealt with by the board," the board would have an obligation, according to the rules of natural justice, to give notice, and any court would back that up. I suggest that to the member and I suggest that he too could agree with me that the rule of law will govern the conduct of the board and it is that that we should be supporting.

1540

**The Deputy Chairman:** Does any other member wish to participate? Are you ready for the question?

I will deal with the addition of section 14a first, as the others stand with respect to that. Section 14a is establishing the registry.

Mr. Swart has moved that the following section be added to the bill:

"14a(1). The board shall establish a registry of persons to whom notice of its hearings shall be given under subsection 11(4a).

"(2) Any person who makes a request to the board shall be included in the registry mentioned in subsection (1)."

Is it the pleasure of the committee that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion the nays have it.

Vote stacked.

**The Deputy Chairman:** Then the amendment adding proposed subsections 11(4b) and 11(4a) will be read as one motion.

Is it the pleasure of the committee that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion the nays have it.

Vote stacked.

**The Deputy Chairman:** Are there any other amendments to section 11? OK, then we will proceed. Are there any other amendments? If so, to which section?

**Mr. Swart:** My next amendment is section 24a, but there is one on clauses 12(1)(ba) and (bb), which should be moved together following the former section 12.

**The Deputy Chairman:** Then there are no sections in between that we can deal with, so we will proceed with your amendment because you are moving to amend section 12 and section 24? Is that not correct?

**Mr. Swart:** Yes, I am. Perhaps, Madam Chairman, I should move section 24a because it sets up section 12.

**The Deputy Chairman:** Is it agreed by the committee that we move the amendment to section 24a first?

Agreed to.

**The Deputy Chairman:** Please proceed.

**Mr. Swart:** I move that the following section be added to the bill:

"24a(1) The Facility Association shall establish a fund called the 'consumer groups fund' to be used for the purpose of funding groups representing the interests of consumers in hearings before the board.

"(2) The Facility Association shall require insurers to contribute to the consumer groups fund in such amounts and at such times as the Facility Association shall determine.

"(3) The Facility Association shall make payments out of the consumer groups fund to such persons, in such amounts and at such times as the board by order directs.

"(4) Where at any time the consumer groups fund is insufficient to pay an amount ordered to be paid out of it, the Facility Association shall forthwith require insurers to pay the difference into the fund.

"(5) Insurers shall forthwith pay to the Facility Association any amount requested by the Facility Association for the purpose of this section."

If you, wish, Madam Chairman, I will also move clauses 12(1)(ba) and (bb), which relate to the same issue.

**The Deputy Chairman:** I think I should deal with your amendment with respect to section 24a. Do you have a complete copy that I might have? Thank you, I have it now.

**Mr. J. B. Nixon:** On a point of order, Madam Chairman: This proposal was moved before the committee, and I refer you to the position taken by the chairman at that time, who ruled this out of order.

**The Deputy Chairman:** I am aware that there has been a previous ruling with respect to this, but this is a different committee and the particular motion is before the floor and must be dealt with.

Mr. Swart moves that the following section be added to the bill:

"24a"—

**Hon. Mr. Elston:** On a point of order, Madam Chairman: The motion, of course, has been put in front of you for consideration, but I do not think that precludes you as chair from considering it to be out of order.

**The Deputy Chairman:** I intend to do that but I wanted to read it into the record.

**Hon. Mr. Elston:** My apologies. I misunderstood.

**The Deputy Chairman:** Thank you. If I may continue.

Mr. Swart moves that the following section be added to the bill:

"24a(1) The Facility Association shall establish a fund called the 'consumer groups fund'—

**An hon. member:** Dispense.

Agreed to.

**The Deputy Chairman:** I have had a chance to look at this particular amendment and Bill 2 as it now stands does not contain section 24a.

Bill 2 establishes an Ontario Automobile Insurance Board to establish and review rates and ranges of rates to be charged by insurers for automobile insurance. The proposed amendment deals with the establishment by the Facility Association of a consumer groups fund to be used for the purpose of funding groups representing interests of consumers in hearings before the board.

The amendment would establish a new duty on the Facility Association. Bill 2 does not address the mandate of the Facility Association with respect to the duties to the public. The bill establishes procedures for the Facility Association to follow with respect to the rates that have been established by the Ontario Automobile Insurance Board.



The proposed amendment deals more properly with matters that should be raised as amendments to the Compulsory Automobile Insurance Act which sets up this Facility Association. As a result, I would rule the amendment out of order as it is beyond the scope and the purpose of the bill.

**Mr. Swart:** Madam Chairman, may I ask you a question on that?

**The Deputy Chairman:** There is no debate with respect to my ruling, unless you have a point of order.

**Mr. Swart:** I wanted you to clarify your ruling with regard to a new bill which does have reference in it to the Facility Association in a very substantial manner. My understanding over the years on a new bill—it is not an amending bill which can only deal with exactly what is in the amending bill—but under a new bill can you not deal with an addition when it is in conformity with the act?

**The Deputy Chairman:** I have indicated that it is beyond the scope and the purpose of the bill and the fund itself is something new and above what is to be considered in Bill 2. As a result of that ruling, do you wish to move your amendment adding clauses 12(1)(ba) and 12(1)(bb)?

**Mr. Swart:** No, there is no point.

**The Deputy Chairman:** Shall section 12, as printed, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Vote stacked.

**The Deputy Chairman:** Are there any further amendments or comments with respect to the bill? If so, to which sections?

Are there any other proposed amendments?

Shall sections 13 to 35, inclusive, carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Sections 13 to 35, inclusive, agreed to.

1551

**The Deputy Chairman:** Pursuant to the agreement on the order of the committee, we will now vote on the amendments that have been stacked. Call in the members. There will be a 10-minute bell.

1601

The committee divided on Mr. Farnan's amendment to subsection 3(2), which was negated on the following vote:

Ayes 15; nays 72.

Section 3 agreed to.

The committee divided on Mr. Swart's motion to add section 14a to the bill, which was negated on the following vote:

Ayes 15; nays 72.

The committee divided on Mr. Swart's motion to add subsections 11(4a) and 11(4b) to the bill, which was negated on the following vote:

Ayes 15; nays 72.

Section 11 agreed to.

The committee divided on section 12, as printed, which was agreed to on the following vote:

Ayes 59; nays 27.

Section 12 agreed to.

Bill 2 ordered to be reported.

On motion by Hon. Mr. Conway, the committee reported one bill without amendment.

#### ONTARIO AUTOMOBILE INSURANCE BOARD ACT

Hon. R. F. Nixon moved third reading of Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates.

**Hon. R. F. Nixon:** I wonder if I might make a comment. I certainly do not want to stand in the way of the honourable member, who has contributed so much to this debate in his own inimitable style, but I do want to express my thanks to my colleague and good friend the parliamentary assistant (Mr. J. B. Nixon) to the Minister of Financial Institutions.

As members are aware, he was assisting my good friend and colleague the member for Wilson Heights (Mr. Kwinter), who has gone on to other responsibilities, leaving this ministry in my hands, at least for the time being.

Another coincidence, a very fortuitous one, is that the member for York Mills (Mr. J. B. Nixon), who was assisting Mr. Kwinter in those days, is now the parliamentary assistant for the ministry and is readily available to assist the present minister. I will tell members that the assistance, as is obvious to everybody here, is extremely well qualified and gratefully received.

I want also to mention reports that I have had from members of the standing committee on administration of justice that the chairman, who is sitting in the House at the present time—

**Mr. D. S. Cooke:** The one who was in the front row the other day. He got demoted.

**Hon. R. F. Nixon:** —the member for Brampton South (Mr. Callahan), also did exemplary service in seeing that the views on all sides had every opportunity to be expressed. While I attended only one day of the committee hearings, I understand the committee progressed through the province giving the citizens of the community an opportunity to express their views as well.

1610

It is obvious from the views expressed by opposition spokespersons that the bill does not meet their requirements in principle or even in detail, but understanding the democratic process, no one in opposition would not accept the fact that they have had an opportunity to put forward their views backed up by people in the community who agreed with them, that this House has taken a stand in principle in support of this bill and that the details of its administration have now been put before the House by this committee report.

I do not intend to reiterate our commitment on the government's side for what we hope will be and what we confidently expect will be an administration, under this jurisdiction of the new bill, which will provide fairness and equity to those people requiring automobile insurance in this jurisdiction. We are well aware of other views being held. I think we must also understand that this alternative is the one the government of Ontario has put forward confidently and that we expect it will meet the needs of the community, as have been expressed.

I appreciate that the government policy has been supported in principle and now in detail in this committee report. I ask for and confidently expect support of the majority of the House on third reading.

**The Acting Speaker (Miss Roberts):** Are there any comments or questions with respect to the remarks made by the honourable minister? Would any other honourable member wish to participate in the debate?

**Mr. Swart:** Yes, Madam Speaker. I would like first of all to state that we did have a good series of hearings and to state also my commendation of the good nature of the members and the chairman of that committee. Generally speaking, it was a pleasant experience. It would have been much more pleasant, of course, if the appropriate conclusion had been reached and the bill had not been reported and had been replaced by a government insurance plan.

I want to say immediately that we are going to vote against this bill because it is largely a sham and a hoax. It was designed two or three months

before an election to get the Liberals past that election and provide them with some excuse for not implementing a public auto insurance system, which was the only thing that could have provided the real solution to the many problems. It certainly does not resolve the problems. In fact, it makes some of those problems worse.

As we know, the bill is really a two-part bill. One part of it is to establish a rate control board. I have to agree with my friends in the party to my left that it is not a rate review board at all; it is a rate control board and I think it should be called that. The second part of it is to establish a classification system.

Simply, the rate control board will be a useless and costly bureaucratic nightmare. We have said this right from the very first day the former Minister of Financial Institutions, the member for Wilson Heights, made the announcement that he was going to proceed with it. It will do nothing to reduce the rates. In fact, it will increase them. It is the centrepiece of the program about which the Premier (Mr. Peterson) said three days before the election, "We have a very specific plan to lower insurance rates." This is the centrepiece. It will in fact increase them, not lower them.

The minister knows very well that there are going to be tremendous costs associated with this rate control board: the cost of operation of the board and the cost of the extensive research of the board, if it is going to do its job at all, into the insurance companies' figures, into their annual statements, so the board knows what the insurance companies are making. That is going to be a tremendous cost. There is going to be a tremendous cost to the insurance companies as well and all this is going to be passed on to the people of this province.

The minister knows very well it is not going to decrease those rates. If we take the insurance companies at their word—I do not, but the minister does—they say they lost \$330 million last year. They say they lost \$550 million or \$575 million the year before. I forget just exactly what it was, but it was in that neighbourhood.

Of course, this rate review board says it is going to see that they have adequate rates. I am sure everyone in this House who was here before remembers what the Minister of Industry, Trade and Technology (Mr. Kwinter) said about a rate review board when he was the minister. For those who were not here at that time, let me remind them. He said, "If that plan were in effect in Ontario during the past five years, the people of Ontario would have paid from eight per cent to 39 per cent more than they pay now." That is what



the minister in charge of the insurance industry for years in this province had to say about a rate review board.

I will not remind members—at least, I will not reveal in detail—what Mr. Slater said about the same thing: “Cosmetic, and serves no useful purpose.”

In addition to that, this government now is going to ensure a profit for the insurance companies in the neighbourhood of three per cent. I do not know whether the parliamentary assistant has left yet, but when I said that in the committee, he bristled and said, “My minister never mentioned anything about figures.” I want to quote what he did say in the committee when I said there was going to be a—

**Hon. R. F. Nixon:** Madam Speaker, on a point of order: I probably will not get any distance with this but I want to bring to your attention that on third reading of a bill, it is customary in this House and other parliaments that extensive debate on the principle of the bill, which is already established, is not in order.

There is no member of the House who is a more compelling speaker, with a more negative rate of accomplishment as far as winning votes is concerned in the House, but I did want to bring to your attention that I feel extensive debate on the principle of the bill on third reading is not normally acceptable. We are not rushed for time, but I felt that rather than let the precedent go by, I would like to bring that to your attention.

**Mr. Wildman:** On the point of order, Madam Speaker: While it is certainly acceptable and understood that on second reading the principle of legislation is dealt with, surely after such considerable committee examination and study, it is quite in order for any member of the House on third reading to comment on matters that have been raised and dealt with during committee.

**The Acting Speaker:** With respect to the point of order that has been raised, I find that indeed the member should try to limit himself to the points that were raised in committee and not merely to the principle. It is my understanding you have the right to go through each section of the bill that you concern yourself with, but I know you will keep your comments limited to the sections of the bill.

**Mr. Swart:** Surprisingly enough, I was referring to the discussions that took place in the committee.

**Hon. R. F. Nixon:** If I may, since Madam Speaker's ruling will no doubt be pointed to in the future, I understood her to say that on third

reading an honourable member has the right to refer to each section of the bill. If that is your ruling, of course I accept it, but I would hate to think that parliamentary tradition is going to be changed this afternoon in a way that is not going to be in the best interests of adequate parliamentary debate.

**Mr. Swart:** I do not intend to deal with the specific sections, Madam Speaker, but I would like to point out that there have been so many changes in this bill, it is not the bill we had at the time it was brought to us. Even some of the basic principles have in fact been changed. I want to—

1620

**The Acting Speaker:** Before that, so that I might clarify the point of order, if the honourable member will allow me, it was my intent not that each section be dealt with but that you should speak to whether or not the bill should pass third reading.

**Mr. Swart:** I made that general statement right at the beginning about whether it should pass third reading and I said no. In this party, we are not going to let it pass third reading if we can cause that to happen.

I was dealing with the rate section, which is a very important section in the bill. I was making the comment that I had stated in committee that it would permit a three per cent increase. That was a general statement made by the the member for Wilson Heights. I was brought up very short by the parliamentary assistant who said, and I quote: “Before you state any reference to allowable profits that you think Mr. Kwinter suggested, I think you should table that information. To my memory, and I have been with him for quite some time, he has never made any reference to allowable profit levels and certainly has not cited a figure. He has studiously avoided engaging in that discussion.”

Maybe it is a figment of the imagination of the press, but according to Bill Walker of the Toronto Star, the member for Wilson Heights did, in fact, use the three per cent as a model, and I quote: “Kwinter admitted that the rate review board's ability to set rates will mean that the government can determine how much profit each company may earn. He said that level of profit has yet to be determined, but used the example of Switzerland where the government controls rates and allows insurers a three per cent profit margin.”

That is after the parliamentary assistant said he had never used any figures. It is the intention of that section of the bill to allow a profit to the insurance companies. Therefore, this will sub-



stantially raise the rates to the people of this province.

I want to say that, in this, we share the views of the Conservative Party with regard to the usefulness, or rather the lack of it, of this section that deals with the control of rates. I want, though, to make it exceedingly clear when I say that we do not share their support for the status quo. I wonder if they really know what they are saying when they talk about maintaining the status quo, because that is what they are proposing, maintaining the status quo. Around this province they have no idea what the people are thinking if they think they can maintain the status quo of the last two or three years. The people are up in arms, but that is what they are saying, let the marketplace decide everything.

It is a faith, a belief that everything will work out fine if you let the market system—they have so much faith in those kinds of outdated beliefs that they put their false teeth under their pillow every night, waiting expectantly for the tooth fairy. That is the kind of faith they have in the market system. They have that same kind of faith towards the auto insurers, that they can do no wrong and that came out very clearly in the committee hearings.

The section on rate control was condemned by almost every group of those 65 groups that the parliamentary assistant mentioned that came before us. It was condemned by the Consumers' Association of Canada (Ontario), which I say speaks for consumers more than any other group in this province or any other group that was before us. They were talking about the Slater commission. I am quoting from their submission to us: "And here we are, the first opportunity to do something about it, and what do we do? We ignore it completely and give the ball to the industry to carry it off in this direction. It is not in the public interest, in our view." That is what the consumers' association had to say about it.

The State Farm Mutual talked about a rate review board. It has a vested interest of course—I am the first to admit that—but it did point out some very interesting facts about rate review boards in other places. It pointed out that in Massachusetts, over 54 per cent of all auto policies now are written in the state's reinsurance facility, which is the same thing as our Facility Association. In New Jersey, over 50 per cent are written in the New Jersey Full Insurance Underwriting Association, which again is like our Facility Association. In North Carolina, it was over 25 per cent.

I want to conclude this section by simply saying that the whole principle of the rate control section of the bill is useless and is bad. I also want to say that in addition to the principle of that section being bad, the Liberal government has designed a bill which is loaded against consumers. Boy, that was sure shown here today in the votes we had on these amendments. It was recognized by the consumers' association when it appeared before us that it is loaded against consumers with the composition of the rate control board; no question about it.

Today the parliamentary assistant, and I really could not believe it, said he could not accept the section which would provide for registration of all those groups that want to be notified of an industry-wide hearing with regard to rates or classification. He would not accept that today. All the insurers, every one of the insurers, is going to be notified. There will be notices in the paper which they could see as well as others could. The insurers are getting special consideration, but not the various groups.

We are not just talking about the motorists; we are talking about all kinds of other groups, the truckers, the bus operators and the taxi operators. They are not going to know about these hearings and there will be changes made which will adversely affect them. That is deliberate on the part of the government. The people are not even going to know. They are going to have these things happen to them.

There is no funding for consumer groups. We proposed that there be funding for consumer groups. It was ruled out of order. There is no advocate. Surely everyone here knows that if you are going to have some fairness in a hearing, there has to be some equality of research resources and advocacy resources. There is no provision for that. Insurance companies will have their millions of the motorists' premium dollars to spend, yet they will not have their voice at the hearing. That is why we do not think third reading of this bill should take place.

The insurance companies that want to have an increase in rates over and above the range of rates or rates that are set by the board—that is provided in here and we do not object to that—they are not even being notified. Those people will not even know that. Their policyholders will not know it. We moved an amendment that any insurer that wants special consideration to raise its rates above the general rate level should have to notify its policyholders so they would know it. Those policyholders will get an increase of \$50, \$100 or \$200 on their bills. They will say: "I guess it has



had approval. I guess that is within the rate range." They will not do anything about it. They should know if there is special consideration being given to their insurance company so that they can go and get their insurance someplace else or they can go and fight it at a hearing. The government voted that down.

1630

I want to say that in this bill—and this is the reason we think it should not be passed on third reading—the government is being about as blatant as anyone can be in its anticonsumer stance. Simply, the bill is a bad design on a bad principle.

Theoretically, the classification section may provide some improvement over the present situation, but we cannot even be sure of that, because the classifications are left, initially, to the Lieutenant Governor in Council. Then after that, once the board is in operation, the board will deal with those classifications.

What is proposed in some areas is some improvement in classification, but it may well not turn out that way, because these are only proposals. Of course, if that rate review board is composed primarily of industry representatives, we know that even those minor improvements will never come about.

The New Democratic Party was successful in getting section 33 inserted in the bill, which prohibits classifications based on age, sex, marital status, family status or handicap. It took a long time, but we did eventually get that into the bill.

But what this government proposes to do in eliminating age is the biggest hoax of all. They are going to replace age with years of driving experience.

**Mr. Runciman:** What are they replacing sex with?

**Mr. Swart:** The trouble is, when sex is replaced, it is not replaced with anything.

**Mr. Runciman:** Get that on the record.

**Mr. Swart:** The proposals which are being put forward—another sound reason we should not be voting for this bill on third reading—in fact provide that young people, good young drivers, are still going to be paying, on average, as much as they were before. Young males will pay less, but young females will pay substantially more.

The government hired Mercer. As members of my committee will know, the government proposed a draft classification and then it asked Mercer to report on this. Mercer did. I want to read one sentence from that report. It says,

"Since age is an exact surrogate for inexperience in driving (i.e., all drivers in this class will map into the class of fewer than three years of driving experience) the effect of removing age as a rating criterion is neutral." That is what they are doing to circumvent it.

**Mr. McGuigan:** Not exactly. I had my licence when I was 15.

**Mr. Swart:** A lot of people had their licences at 16.

**Mr. McGuigan:** Fifteen.

**Mr. Swart:** Ninety-five per cent of all the people who drive get their licences before they are 22. The result, of course, is that when you say they have to have certain driving experience to get a lower rate, they are all going to pay that higher rate.

Here we have the example, exhibit 2 provided by Mercer, which shows that for pleasure use a person with 35 years' driving experience, low mileage, three years event-free, as compared to a person with pleasure use, three to six years' experience, low mileage, three years event-free—everything the same except 35-plus years' experience and three to six years' experience—that person who has three to six years' experience will pay two-and-a-half times as much as the person who has the 35 years' experience. So it is all a hoax.

**Mr. J. B. Nixon:** How much do they pay now?

**Mr. Swart:** The parliamentary assistant realizes, of course, because it was his government that decided this—the parliamentary assistant asked, "How much do they pay now?" He knows very well that was a question that I asked, to have figures put to this. All the insurance companies do is say that for every \$100 you pay now, this is what you will pay afterwards. They did not put any figures to it. He should go ask Mercer. That was his responsibility in the first place.

**Mr. Speaker:** Order. This is third reading debate. It is not committee. There should not really be any discussion. We have recognized the member for Welland-Thorold (Mr. Swart), and any other members who speak will be out of order. I will ask the member for Welland-Thorold to continue.

**Mr. Wildman:** On a point of order, Mr. Speaker: It is my understanding that during committee consideration of this bill, with the unanimous consent of the House, the parliamentary assistant had permission to sit in a seat other than his own. We all agreed with that and thought it was most appropriate, but it is my understand-

ing that on third reading he can hardly speak from a seat which is other than his own. Is that not correct?

**Mr. Speaker:** The member brings up an interesting point, because what was agreed in committee, of course, has nothing to do with what takes place in the House.

Interjections.

**Mr. Speaker:** Order. There have been other members I know who have made interjections from other seats, and I have always called them to order. That is what I was doing, I believe. We shall see as we wind up the debate if the House wishes to give the parliamentary assistant permission to speak from that seat. We will see what happens at that time.

**Mr. Swart:** In any event, Mr. Speaker, he would not have had to go all the way out, as I did yesterday.

**Mr. Speaker:** Perhaps we could get back now to discussion on the third reading. Thank you.

**Mr. Swart:** We feel strongly here that we should not be voting for this bill. Quite frankly, I could not vote for a bill which left age, really, as a criterion.

When we had the top people before us from William M. Mercer, I questioned, as members will recall, Irene Bass, who is a principal management consultant to Mercer about this. I said to her: "You replace experience for age. Experience is a much, much greater factor than even driving record. There are others here. Even if you have four events and you have a 30-year driving record, you do not have that kind of increase. That is true, is it not?" She said, "That is right."

I said, "So, in effect, given that most new drivers are young people—I do not have statistics on this, but I suppose 90 per cent of people who start driving in this day and age start before they are 25." She said, "That is right."

I said: "In effect, we are really putting the same kind of penalty back on young people. We are not doing it because of their age and we are eliminating the sex category for the young, but in effect—and this may not be a question that you want to answer, but I think it is a fair one—age is still going to be the major factor in causing people to pay high rates. I can rephrase that. It will be the young people mostly who will be in the very high rate category because they have had very little driving experience." She said, "It will definitely be mostly populated by people who are younger."

No change. Is that really what we want? The Consumers' Association of Canada (Ontario) raised that as a main objection when they presented their brief, and you will be glad to know that I will not read that, Mr. Speaker. But I do want to read one paragraph from the submission made by Raj Anand, our chief commissioner for the Human Rights Commission in this province. It relates very much to what I have just been talking about: using a devious route to do the same thing. Let me read what he says. This is in his submission, and he talks about Bates versus Zurich Insurance Co. of Canada. We all know about that one.

"The board adopted the principle expressed by an earlier review tribunal at the federal level that: '...The basic premise of human rights legislation is that the merits of the individual should be assessed. Otherwise, bona fide...requirements might be established simply on the basis of statistical averages of group characteristics. This would merely be stereotyping in a new format which is, if anything, more invidious than traditional prejudices because it has an apparently scientific base.'"

That is why we vote against this. That is why this bill should not be passed. Here we have a human rights commissioner who is saying, in effect, that this proposed policy—and I want to state clearly that it is a proposed policy; it is not final yet, because the final policy rests with the Lieutenant Governor in Council—in fact is a devious route being used to circumvent the Human Rights Code. That is what that government is doing over there. Not only that, this bill does not really solve the problems.

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Another reason that we cannot support this bill is that when we toured this province a year and a half ago we found nine major problems. Excessive premiums and escalating rates were one of them. This is what the people brought to us. There were not just 65 briefs; we had something like 135 briefs. This bill does not do anything at all about excessive premiums and escalating rates.

The next was arbitrary cancellation or refusal to renew insurance. It does not do anything about that, either. In fact, there will be more arbitrary cancellations and refusals to renew for young males because they are going to lose money on them.

Another is discriminatory rate increases applied for frivolous reasons. One hopes they will do something about that.



All drivers in a household being penalized because of one driver's records: One hopes they are going to do something about that.

Young male drivers with good records are victimized by rates three or four times the average. Oh, yes, it is going to bring those down, but who is going to be penalized now? The young females. Both of them will be penalized, a double penalty now under this proposal.

A growing number of people driving without insurance, at least 200,000. It does not do anything about that.

Because Ontario's no-fault coverage is extremely limited, there are long delays in compensation and unfair settlements to accident victims. It does nothing about that.

Breaks in coverage: back to square one. Well, section 8 may do something about that.

New drivers and new car owners are penalized. They are going to be penalized worse than ever under this proposal. It does very, very little to solve any of the problems.

The end result of this rate control board will, in fact, be higher rates and continuation of discrimination. But our strongest objection to this bill is that it has been put forward as the solution without the government ever looking at the alternative of the public system. For that reason alone we would be voting against this bill.

There was a refusal, and has been for two and a half years, even to do the in-depth comparison of those western plans with Ontario. How can we possibly excuse that when the Liberals and the Conservatives out there say they are wonderful plans, far superior to what we have in Ontario? All the governments that have administered them over the years have said the same thing, regardless of their political stripe. But even though this Legislature passed a resolution in December 1986 calling for that in-depth comparison, this government has refused to do it.

The government wants the public, of course, to believe that it has done it or is going to do it, that it is not really opposed to this sort of thing, because amid all these kinds of comments, a lot of votes out there now are supporting public auto insurance. In fact, the polls show that in the last election that support increased to over 50 per cent of the voters of this province.

The government cannot offend the voters, so it has to let on, "We are going to look at it." We have the Premier (Mr. Peterson), who said in leaving here yesterday that he is all in favour of government-run auto insurance if it can be proved that the system would be cheaper and not subsidized by the government. He made that

statement. Of course, we know it is not subsidized now. We know it is way cheaper. He does not do anything about it, but it was a good ploy at election time and probably got a few votes.

We have the former Minister of Financial Institutions saying in Sudbury back on May 2, "Ontario will create a government-run auto insurance plan if private companies do not hold the line on premiums." What happened? They went up 4.5 per cent this year. They are not holding the line on premiums. They are going to go up a whole lot more before the year is over. Everybody knows that. It was at the hearings. Of course, that was just nothing more than posturing.

In fact, we had Mr. Nixon say here in this House—I think it was on second reading of this bill—

**Mr. Speaker:** Are you referring to the Treasurer (Mr. R. F. Nixon)?

**Mr. Swart:** The Treasurer, yes. He said he did not have any anathema towards public auto insurance. It all sounds nice—nice platitudes. But, of course, there is no sincerity in it. When a government will not even investigate, will not even do the in-depth comparison to determine it, there is certainly no sincerity in that proposal.

It is all there to see. It is all there to see now because we have public hearings. Those public hearings prove that this bill should never have been reported. It should have been replaced with a proposal for a driver-owned public system. All evidence showed the public plans were far superior to the system we have here. That was stated by people who are tremendously philosophically opposed to the systems out there.

It is rather interesting. Of the groups we had down from the three western provinces, twice as many of them were from the brokers and those philosophically opposed than from the plans themselves. But they all said the same thing: "They are good and we want to keep them out here." I would just like to read to the members what the broker David Garriock said about them, which is one of the reasons we should not have reported this bill. David Garriock is a past president of the Insurance Brokers Association of Manitoba. He also operates in Kenora, Ontario, so he knows the difference between the two.

He said, "...there are advantages within the product itself that is offered within the province." He is talking about the Manitoba system. "The no-fault accident benefits are the best in Canada, bar none." This man has stated before, of course,

that he was opposed philosophically to the government running it.

"They have very high limits. For example, in Manitoba the medical expenses under the product are at \$100,000 versus Ontario at \$25,000; total disability benefits of \$300 in Manitoba versus \$140 in Ontario; partial disability at \$60 per week in Manitoba with nothing in Ontario. Permanent impairment is up to \$20,000 in Manitoba, with nothing in Ontario. The death payments are \$2,000 to an unlimited amount, depending on the awards that may be considered by courts. In Ontario it is \$1,000. Funeral expenses in Manitoba are \$2,500 versus Ontario at \$1,000."

He finishes by saying, "The product within the Autopac system is...a good product." A man who is philosophically opposed to it makes those kinds of comments.

We have William Brown from British Columbia, who was the president of the Insurance Agents' Association of British Columbia. Just one short sentence says, "I would say the majority of agents in the province were against the privatization of ICBC," when it was proposed out there. It was not even proposed by the government. Again, anybody who reads Hansard will know how, philosophically, he was opposed to a government running anything, but he said it works, kind of thing.

I think the best of all, and this was really quite delightful, has to be the research director of the Conservative opposition in Manitoba. The Conservatives wanted him to come down, because there was this huge protest out there. They said, "By golly, we have got to get the Conservatives down here to tell us about these horrible things about the Manitoba system." Of course, he did come and said it is terrible what they are doing, this increase in rates and all the rest of it.

**1650**

After he finished, I started to ask him a few questions. He stated that he was representing the Conservative Party, the official opposition of Manitoba, and that he had been at the protest the night before or perhaps two nights before; I am not sure. I put this question to him after he told us about this, "You were not, though, asking yesterday, nor has your party asked that Autopac be privatized?" Mr. Bessey said, "Right." I said, "You have not?" He said, "No, we have not."

I said to him: "What you are saying, in effect, is the principle of Autopac is good. It provided good service. The principle is good but it has not been well run; is that what you are saying?" He said, "What I have said is that it is institutionaliz-

ed...and that we would not privatize it." I said to him, "Are you saying that your party is in favour of Autopac?" He said, "What I am saying is that the party does not feel it is politically an option to privatize it." Then I said, "I am sorry; would you repeat that?" He said: "I say, there is no option. We do not have an option to Autopac." I said: "Do you not have the option of privatization, as Thatcher did in England? Would not the people be delighted?" He said, "We do not think so."

That was Mike Bessey, representing the Conservatives from Manitoba, this group that is so deathly opposed to the government running anything.

I want to say this and this is important: There was not a single witness from any section, the public, the brokers, the industry or the government that would revert to privatization from the public system, not one from any of those three provinces. Does that not say something? That should say something to the members over there. We should not even have this third reading of this bill. I guess it does not say anything to the Liberals over there. Their ears are closed. There are only one or two people in the rump group of the Liberals over here as well.

I know the member for Eglinton (Ms. Poole), who is not here now, would make comments like, "Oh, well, there is political interference out in Manitoba." There may have been some. Political interference in rates; the parliamentary assistant will recall that being said. I wonder what that was last April 23, in Ontario, when the government announced it was going to put this bill in and when it froze rates. It was not a real freeze but it led the public to believe it was freezing rates three months before an election.

Somebody who is part of that caucus has the nerve to talk about political interference in Manitoba, when there was nothing but political interference by that government over there, prior to the election, to win votes. They want to criticize the government of Manitoba and call it political interference because, in fact, under its legislation it does have the final say on rates, whether they will be approved or not.

They will not get rid of it out there because it is cheaper and that was conclusively proved at those hearings—let us make no mistake about it—not by the New Democratic Party. We asked legislative research to do a comparison of the rates. We suggested perhaps one of the best ways to do it was to take the total number of vehicles insured and divide it into the total premiums paid. They brought in a report which I have here which shows that in 1986 the average premium in



Saskatchewan was \$292, in Manitoba was \$281, in British Columbia was \$400 and in Ontario was \$553.

If one wants to extrapolate that, as we did, to 1987—all the figures are available to extrapolate that—we find that after those so-called huge increases out in the western provinces, which incidentally are one-year increases, not the two we have had in Ontario, in 1988 the average premium in Saskatchewan was \$321, in Manitoba, \$380, in British Columbia, \$510 and in Ontario, \$607. That is the comparison the Ontario legislative research did, and we bring in a bill here that puts up a rate review board that is going to do nothing instead of that. That is why this bill should be defeated here on third reading.

In case members do not like that figure for Ontario of a \$607 average and think it is too high, since that time when we had those first hearings and had people from Gore Mutual there, they submitted to us a statement for the last four years of their total receipts and the number of policyholders. Do members know what their average premium is? It is \$745. I am the first one to admit that they may operate centrally here in Toronto; I do not know that. That may not be representative. I would even go so far as to say that these figures may not be accurate to the last dollar, the last \$10, perhaps the last \$25. But I tell you what, those comparisons of rates compare favourably and accurately with every other comparison that has been made by independent groups.

If members do not believe the rates, they can look at such things as the amount each group spends on expenses in British Columbia and in Manitoba; Saskatchewan is less. In British Columbia and Manitoba, it is about 23 cents on the dollar. It is all in the annual statements. Nobody will deny this. In fact, I challenge the Liberals who were at those hearings to get up and prove that my figures are wrong. About 23 cents of each premium dollar out there is used in total administration, that is, claims settlements and the work.

The Insurance Bureau of Canada presented a case for Ontario and said in Ontario it is 36 cents. That is 13 cents on the dollar you can save on that area alone. Do members know what 13 cents on the dollar is? It is \$390 million a year to the people of this province that the government could save by a public system.

That is not all. Evidence came out from the Insurance Bureau of Canada and from the western provinces in their annual reports that they get an amount equal to over 20 cents on the

premium dollar return on investment. Do members know what it is in Ontario? According to the Insurance Bureau of Canada, 12.8 cents, another seven per cent saving this government could have. That is another \$210 million it could save there alone.

Then, of course, this government now is going to give some profit to the insurance companies, and that will be additional cost to the motorist here that does not exist in those western plans because they are nonprofit.

If members check the details, whether it is brokers' fees or whatever it is in their expenses, they will find that it all adds up to what I have said. They have eliminated the injustices out there. That is another reason why this bill should not be supported. They have eliminated the injustices out there in those western provinces. Penalty rates are tied to the driver's licence. There are no people who have to pay extra because their wives or their husbands are bad drivers or because they are young.

It varies somewhat from province to province—they have a bonus-malus system in British Columbia—but basically they are the same. The only penalty rates you pay are if you are a bad driver and you pay them on your driver's licence. How much sense that makes. Of course, that money goes into the insurance fund. But if you prove to be a bad driver, you pay the penalty on your driver's licence.

What was also proved very conclusively in the hearings was that all these arguments used by insurance companies and by the Liberal Party in the last election about these huge subsidies going to the western provinces were all shot down, shot down in total. They were shown to be what they were, absolute falsehoods, and I use that word advisedly.

## 1700

I am not going to refer to all of them, but they are all here in this group. It does not matter whether it is the Co-operators, the pig ads or the Facility Association. The general manager of the Facility Association wrote to the Ontario Motor Coach Association and said there had been a net loss in British Columbia in the previous five years of over \$500 million when, in fact, there had been a profit of \$100 million.

He had to back down. He could not justify it. He kind of attacked me in the committee, but he had to back down and admit that, unfortunately, he had used underwriting figures, as he explained. Of course, he did not say "underwriting" in the letter. "Net profit" were the words that he used in the letter.

In Windsor we had the president of the Insurance Brokers Association of Ontario admit that it was too bad, there really was a mistake in the pamphlet the association had distributed. In the pig ads they had said, and let me read the exact words: "The government auto plan in Saskatachewan was handed \$72 million." That is what they said in their ad. He admitted it. He said, "Well, actually, that was a mistake. It went for crop insurance."

**An hon. member:** Really.

**Mr. Swart:** Yes, the committee members were there. They know all of this is in fact true.

Then he was asked, "How would that be possible?" He said, "I guess it was a typographical error." In a leaflet dealing only with auto insurance, it was a typographical error that got into the leaflet. We asked him about the statements, "crown corporations pay no tax," and "that means Ontario would have lost \$108 million in 1985," from the pig ad. We pointed out that all those provinces paid taxes, exactly the same as they did here. Of course, they had to admit it. They could not explain that at all.

This one has to be the classic. This is what they say the truth is, in this leaflet that went around. A million of them were distributed in Ontario. They said, "Ontario car insurers lost 1.6 cents for every dollar of income in 1986, a total of \$330 million." So I asked him, if they lost 1.6 cents on the dollar and the total premiums are \$3 billion, how do they get \$330 million? My math says that is \$48 million. I guess they had never even looked at the figures before. He said, "Those figures are supplied by the Insurance Bureau of Canada."

**An hon. member:** Falsehoods.

**Mr. Swart:** Absolute falsehoods, the whole lot of them, even the Co-operators. Members heard me read what the past president of the Insurance Brokers Association of Manitoba said about the plans and the differences, the superiority of the plans there? Well, the Co-operators sent out a letter to anybody who had insurance with them that talked about the western plans and attacked the public plans: "Three provinces—Manitoba, Saskatchewan and British Columbia—have government insurance monopolies." "These plans are not no-fault to any greater extent than Ontario.... Injured persons there have access to no-fault benefits, but in no case are the no-fault benefits greater than the accident benefits available to Ontario motorists under this section of their policy."

So when the vice-president of Co-Operators was before us, I questioned him about this. I

asked, "How can you say that, because you had sent out another sheet which contradicted your own?" "Well, I guess we did not have enough research done on it." Every one of those is the same: falsehood, falsehood, falsehood. The sad part of it is, that Liberal government over there for the last two years has quoted these verbatim. Now they are admitted as falsehoods.

It can be proved unquestionably that those western plans are cheaper, the administration costs are a lot lower, the money return substantially cheaper. I quoted the research. It showed they are much fairer. There is no question about that. The public likes them.

We had a presentation from the Consumers' Association of Canada (Ontario) at our hearings. They said they had had extensive discussion about this in Ottawa at their national convention. The Ontario delegates set up a panel from the western provinces and the Ontario delegates were questioning it. They have this in their report to us: "At the conclusion of the meeting the three western delegations were asked to rate consumer satisfaction as they saw it, on a scale of one to 10." That is consumer satisfaction with the public systems.

**Mr. McGuigan:** How do they like free trade out west?

**Mr. Swart:** I do not blame the member for changing the subject. It is all pretty embarrassing.

They said: "One equals very poor and 10 equals excellent. To the surprise of the Ontario delegates the average rating for the three provinces was nine."

**Mr. Runciman:** Oh, that is impressive stuff.

**Mr. Swart:** I suggest to the member that it is very impressive stuff. There are all kinds of satisfaction, there are all kinds of proof of how superior those plans are. We could be giving the motorists of this province a better product and still saving them an average of at least 20 per cent on their premiums.

Then I come back to the comments of the Premier. In St. Catharines last year, he said he was all in favour of government-run insurance if it could be proved that the system would be cheaper and not subsidized by government. I think members can understand why, here yesterday, somebody like myself is a bit angry at the Premier when he makes a statement like that, when all he has to do is gather the information available at the present time—if he wants to get any more, find it—and find out how much superior a public plan is. There is no sincerity there at all.



I want to say that it is the cheapest and sleaziest kind of politics the Liberals are playing on this whole matter. We have said from the beginning, two years ago, that there could be an average 20 per cent saving under a public plan, and any reasonable person who has heard all the evidence knows that is true. That is \$600 million annually to the motorists of this province.

It is really a fair system, but the Liberals are not going to bring it in, for two real reasons. One is they are so deep, as I said yesterday, in the pockets of the insurance companies that their knuckles are scraping on the ground. If members want me to bring before them again today the documents that I used on second reading, about what the Insurance Brokers Association of Ontario said to its members and its whole organization behind and in the Liberal machine, I will do it.

The Liberals are prepared to sell out the motorists of this province to the insurance companies. They are really just as philosophicaly opposed to it as the Tories. That is true. As the Tories fought medicare when the New Democratic Party first brought it in, the Liberals fought medicare. The Liberals fought medicare out in Saskatchewan, same as the Tories did; they fought medicare just as hard when it was started.

Interjections.

**The Acting Speaker (Miss Roberts):** Order.

**Mr. Swart:** Like the Liberals and the Tories and the insurance companies, they fought public auto insurance in Saskatchewan. It was implemented there 41 years ago. They did the same thing in Manitoba, they did the same thing in British Columbia. The Liberals and Tories fought it. The people over there are not reformists. The Liberals over there are not even progressives. Really, all they are is caretakers of the status quo. That is what they are on that side of the House. I am not sure they are very good ones, at that.

I conclude by saying that in this party we do not think the wealthy, vested interests or some outdated political dogma should stand in the way of providing a far superior insurance system for the public. We do not share those dogmas. We believe that whatever system works the best is the one we should implement in this province.

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I want to say that in spite of these right-wing Liberals and Tories, public auto insurance will come in this province just as surely as medicare came in this province, because it is right, and Bill 2 will be only a bad dream. Then the Liberals will

be like their cousins in Saskatchewan, Manitoba and BC. They will jump on the wagon and shout, "Me too, me too," just as they do out there in those provinces now, as though all along it had been their idea.

We are going to vote against this bill. We are going to keep fighting for the only sensible alternative, and that is driver-owned public auto insurance like they have in Saskatchewan, Manitoba and British Columbia.

**Mr. Wildman:** I would like to take the opportunity just to congratulate my colleague the member for Welland-Thorold on his presentation and on the effort he has made across Ontario, within this House and in committee to put forward the deficiencies of the legislation proposed by the Liberal government and to provide a sensible, positive alternative to the current regulatory approach to dealing with auto insurance rates, which have gone up so exorbitantly in the last couple of years in Ontario and will continue to rise.

I think the people of Ontario, and certainly the people of our party, have gained a new respect for the member for Welland-Thorold on his energy and his commitment to bring in and fight for legislation which will benefit the people of this province.

**Mr. J. B. Nixon:** I just want to rise and comment that, personally, I commend the member for Welland-Thorold for his passion and his vigour in pursuing his cause. It helped to make the committee hearings better hearings, I think.

However, I will not venture to comment on the errors and misconceptions he may have as to our doctrines, our bill and the nature of public auto insurance in other jurisdictions. I will leave that for a later time.

**Ms. Bryden:** I would just like to say that I think we have had a rare opportunity in this House to hear one of the best-documented speeches in this House on the question of public auto insurance.

**Mr. Runciman:** When was it? I missed it.

**Ms. Bryden:** That is the speech from the member for Welland-Thorold. I do not see how anybody can vote for this bill after they have heard that speech, when he has exposed all the false information that has come out around it, and yet he has shown that a public auto insurance system would be so much superior and is something that is long overdue in this province.

**The Acting Speaker:** Any other member? If not, would the member for Welland-Thorold

wish to reply? Would any other member like to participate in the debate?

**Mr. Swart:** Now we hear the opposite side.

**Mr. Runciman:** That is right. Now you will hear the facts, Madam Speaker.

I want to echo the comments of the member for Welland-Thorold in respect to the committee hearing process. I think it was an interesting exercise and certainly an opportunity for us to get to know some of the new government members who served on the committee. I think it was worth while in that sense. I think there was an excellent feeling among the group.

I want also—I did this during the committee sessions—to compliment the chairman, who I feel did an excellent job in maintaining order and conducting the proceedings in a most commendable fashion.

I also thought that in some respects the hearings were productive, although I do not believe any positions have been altered as a result of the hearing process, but we did receive some very well thought out and innovative submissions. I think Gore Mutual Insurance Co., Wellington Insurance Co., one of the brokers in Thunder Bay, made some very innovative proposals. In my view, it is only regrettable that those proposals were not made a number of years ago and made in a very clear and forthright way; we might not have been faced with the problems we have been faced with in the past few years in respect to automobile insurance.

I find it interesting that the member for Welland-Thorold throughout these hearings has been, at every opportunity, waving a little brown book that was circulated during the August-September election, and severely chastising industry representatives who appeared before the committee and vigorously cross-examining them on the materials and statistics that were incorporated in that pamphlet. There is a degree of paranoia among that party and specifically with the member. Obviously the industry has really got to him. Perhaps in his own mind he feels that was one of the key factors in the lack of success they enjoyed in the September 10 election; I do not know. It became a little repetitive as the process went on.

The NDP members felt, and I cannot criticize them, that this was another kick at the can. I believe and I suspect most members believe that in that respect they failed as miserably as they did in September. I do not think they were able—

**Mr. Wildman:** There are degrees of failure.

**Mr. Runciman:** I agree, and this was, in my view, a rather significant failure. I heard the

member talking about how convinced we all were about the benefits of government-run programs out west. We were listening to different witnesses, obviously, or certainly hearing different testimony or putting different interpretations on it, in any event.

Talk about any mileage gained out of this whole exercise by the NDP. I think, for the most part, it has been beneficial in pointing out some of the real flaws of a government-run program. I suspect the bulk of publicity generated in respect to this whole exercise has been negative on the position taken by the NDP. Look at some of the headlines and editorials that have appeared over the past number of weeks. Here is one from the Windsor Star: "Ontario flirted with the idea of state-run auto insurance during the election campaign, but the electorate failed to warm up to what was a major plank in the NDP platform. The scepticism was more than warranted."

In the Oshawa Times, they go on about Mr. Swart and his efforts: "This is all great drama, if not comedy, but Swart fails to mention that coming out of Winnipeg on the same day was a story that Manitoba motorists will be paying more, from 20 per cent to 30 per cent, for their insurance next year, on top of a nine per cent hike in 1987. Watch it the next time someone announces, 'I am here from the government and I am here to help you.'"

That is from the Oshawa Times and the Windsor Star, supposedly hotbeds of socialism. They are not buying what you have been saying over the past couple of years. Certainly, the publicity you have attempted to generate over this has not been to the benefit of your party or your cause.

Here is one from the Toronto Sun: "Stay out of the insurance business. We all lose when the government meddles."

**Mr. Swart:** What about the Toronto Star?

**Mr. Runciman:** I will get around to the Toronto Star, but I am not going to deal with it at length, as I usually do in my speeches; I will make some passing reference to it.

**Mr. Swart:** I have one here from the Toronto Star. Would you like to read it?

**Mr. Runciman:** I have another one here; most of these papers supported the Liberal Party, I guess, in the last election. It is tough to find a paper that supported the member's party or mine. The Ottawa Citizen has also come out with a headline saying, "Rolling Out the Facts on Car Insurance." It is very critical of what the member has said with respect to a government-run program. Again, they are drawing out the



Manitoba experience. We have another headline, a grabber, "Motorists Riled as Manitoba Plans to Hike Premiums 25 per cent."

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Some of the testimony that we had before us with respect to the western governments was not only about rate increases that were announced during this hearing process but also the significant degree of government interference in the whole process that occurs in these kinds of programs.

In one instance, and I cannot recall the specific province, they were talking about the fact that one out of every two claims generates a ministerial inquiry. Can members believe that? One out of every two auto insurance claims in that specific province gets the minister personally involved. That is how politicized the process is.

We found out that before elections the rates are artificially depressed. We have seen all kinds of things in the Manitoba situation; deficits were hidden from the electorate and the true story was not told. This is the kind of program about which the member has the unmitigated gall to get up here today and say: "This is a panacea. This is where we should all be moving." This is what I heard during our committee hearing process. All we heard was the good stuff about government programs.

I must say I heard a lot of different things from our witnesses. With respect to what the member mentioned about the Progressive Conservative research employee indicating that his party was not prepared to support pulling out of the government-run program, I have said from the outset that once you get into this kind of program, once you start down this slippery slope, it is politically extremely difficult, if not impossible, to extricate yourself.

I have used the example of rent control. We have got ourselves into a real quagmire. It is causing a housing crisis in this province, but nobody has the intestinal fortitude to deal with the issue because it is, we all agree, a very politically difficult, if not a politically suicidal, position for anyone to take. But we know it a great contributor to the problems we are now facing in housing in this province.

**Mr. Wildman:** Come on, come out against rent control.

**Mr. Runciman:** I do not pull my views on that one at all. I would say to the member who is interjecting that I did a poll in my own riding. There are very few tenants in my riding, and over 80 per cent of them were supportive of the

retention of rent controls. That is indicative of the kind of problem that is faced by any political party with respect to this issue and the kind of situation we are going to find ourselves in with increased government interference through Bill 2, which I believe is eventually going to lead to government-run insurance if we do not see a change in government in the next election. That is perhaps the only salvation.

The initiative by the NDP did not fly. It did not catch hold during the election campaign. I believe it did not catch hold because it is not a major concern out there among the electorate. It was not then and it is not now. If we all take a look at the number of calls we have received in our own constituency offices with respect to auto insurance premiums, I think if we are being honest about it, they have been limited.

In my own situation, I have probably had half a dozen calls over the past two years about auto insurance premiums. We can talk about any number of issues where we are frequently contacted about constituency concerns. Sunday shopping and abortion are recent examples where, I suspect, most of us are inundated with calls and letters. So this issue certainly has not got far, because it is not an issue.

During the accord situation, the NDP party was able to make it somewhat of an issue in terms of profile, in terms of pressure on the government, in terms of question period and so on, but that did not make it an issue out there with the public. The crisis was really in the liability field, and that is what we should have been dealing with, solely.

Again, through the committee process, despite a number of planted witnesses—I will describe them as planted witnesses—who appeared before us telling their sad stories and supposedly in one instance representing a consumer association, which was proven to be a farce and that did not deceive anyone, the issue simply did not get off the ground for the official opposition.

I am not going to say there have not been problems over the past few years in the auto insurance area. Indeed, the insurance companies themselves, in my view, have been somewhat complacent. I mentioned earlier that some of the proposals we have heard from the industry over the past month or two should have been made in the past number of years and should have been made forcefully, and we might not have found ourselves in the kind of situation we find ourselves in today.

There are a lot of problems that need addressing, and contrary to what the member

suggested earlier, we have suggested a significant number of, we think, responsible alternatives. Of course, one is a program of rate review similar to the one that operates in Alberta and in other provinces.

Alberta has a board with four part-time members, two full-time staff and with minimal board operating costs, which are covered through the government revenues. This is in contrast to up to 100 employees. I think the deputy minister indicated in response to a question from me that we could be looking at up to 100 new civil servants as a result of this bill. Contrast that with two full-time people in Alberta with a rate review system.

A couple of other things in respect to the Alberta system: it is a prior-approval system and, from all reports, it is working extremely well and is accepted by both the industry and consumers with a high degree of satisfaction.

We have talked about this in the past, but when we look at the situation, it was not a major concern among the electorate. There were problems that needed to be addressed, but what happened in the election obviously indicated that it was not a major concern out there among the electorate.

Why did the government take this initiative, one has to ask? Why did it come in with such an interventionist piece of legislation? As I have said, it obviously was not the election result. The issue did not catch fire at all.

Was it pressure from the caucus? I think we again have to doubt that. They were all out on the hustings and they were not getting a lot of feedback about this issue, I am sure, because it just did not catch fire. Obviously, I do not believe the pressure came from the government caucus to come in with this kind of interventionist measure. In fact, I suspect the bulk of government members were having a great deal of difficulty with this kind of initiative.

What about the bureaucracy? Did it come from the bureaucracy? I do not really think so. In my experience, in some instances, of course, the bureaucracy does initiate measures, but in terms of the thrust of this particular bill I do not think we can lay the blame on the bureaucracy.

The direction to develop a system that regulates and controls rates in the province, not a review process, was the direction of a number of key players in the government who really said: "To hell with the implications; this is the way we want to go. We don't care about 100 extra civil servants. We don't care a hoot about the additional costs of computerization, program-

ming, office space and what have you that is going to go along with this initiative."

The decision was made by people like, and I like to say this, the former New Democratic Party fundraiser, the member for St. George-St. David (Mr. Scott), the current Attorney General—I want to continue to put that one on the record—and others like the Minister of Financial Institutions (Mr. Kwinter) who said quite clearly during the second reading debate on Bill 2 that he does not find government-run auto insurance anathema. That is the kind of philosophy from the front benches that is really dictating initiatives such as this.

#### 1730

The bill is going to pass tomorrow. We have to live with the process, the unknown costs associated with it and the ongoing involvement of partisan politics in the insurance rate-setting processes in this province. I mentioned the involvement of politicians in the western programs. We have had the repeated assurances of the parliamentary assistant and others in his party that we are not going to see those kinds of things occur here. But when you have this kind of intrusion occurring, when the government is more involved in the process, the interference—government, political, patronage, whatever—the role politicians are going to play is going to increase hand in hand with the increased government involvement in the whole exercise, in the process of providing automobile insurance in this province. They can indicate that this simply is not going to happen, but I can assure the members that we are going to see it happen.

This government has not been reluctant in the past to interfere. We saw that with the freeze on premiums. We have seen the minister announce the four-point-whatever per cent increase. They are not going to be reluctant to get involved. They are not going to be reluctant to stick their fingers into the pie and play a very active role, be it a behind-the-doors kind of role. They are going to be there. It is not good news for consumers in this province and it certainly is not good news for the private sector.

Some naïve souls may say this increased government involvement may not be so bad. I want to suggest we take a look at one jurisdiction, and perhaps the only one that has a system somewhat similar to what the clique of decision-makers in this Liberal government is proposing, and that is Massachusetts, where the governor is a fellow by the name of Dukakis who is running for President. God save the United States and the world from Mr. Dukakis. In my view, he makes



Jimmy Carter look good. We just hope that he does not get the nomination, but put that aside.

The committee should have visited Massachusetts, but the hearings were not, in any real sense, meaningful. They gave a cursory nod to democracy and perhaps some kind of a sympathetic sop to the member for Welland-Thorold (Mr. Swart). But we did not get into some of the real issues of concern in respect to this initiative because we did not have the opportunity to do so.

We were fortunate enough, I think, in the last day of the hearings to be presented with a rather significant study of the Massachusetts system and the implications for going down that road. I would like to put some of the findings on the record, as the committee did not have an opportunity to deal with it at all.

In terms of availability of insurance in a voluntary market, over 60 per cent in Massachusetts is in the reinsurance facility. That means private insurers do not want their business. They do not want those people. They simply will not offer their plans to those people. They have to go to the reinsurance facility. For the programs the private insurers are operating under, the premiums simply do not justify the risk.

To contrast that with what is occurring in Ontario, currently we have about two to three per cent of the business in facility versus Massachusetts, with a system somewhat similar to what is being proposed here, with over 60 per cent of the auto insurance business in facility. When the study was done in Massachusetts, the premiums in that state were \$77 greater than the national average. That is what massive government regulation does for premiums in Massachusetts. What is it going to do in Ontario? This is one area where our party agrees with the New Democratic Party. It is not going to have a depressive impact on the rates; just the opposite. The legislation, in essence, is playing into the hands of those wanting a government-run plan, and perhaps by design.

Another point that should be made is that, quite understandably, many insurers have pulled out of the state of Massachusetts. The report says: "One can only conclude that companies do make market choices in line with their perceived ability to control price and profits. This has important implications for designing a market system. If one goal of the system is to encourage availability of product, the system should permit insurers as much flexibility over prices and profits as is possible....Not providing control over price to insurers will create pressure on insurers to produce higher returns. Such pres-

ures will also increase premiums. In this way, regulation may very well be self-defeating."

There are a few other comments from the study which I would like to put on the record: "There are ominous signs that the present market for auto insurance is breaking down. Since 1973, the size of the residual market has increased in relationship to the voluntary market by 900 per cent. This is a definite sign of an inability of the auto insurance market in Massachusetts to attract needed and productive capital. During the same period, policyholders have suffered as premiums have increased more than 46 per cent, substantially greater than the national average....

"Reviewing the comparative market evaluation presented in this report, Massachusetts has one of the highest premiums in the nation, has one of the poorest records of auto insurance availability, and continues to provide inadequate premiums to most auto insurers. Change is obviously needed. The present method of regulating the auto insurance market in Massachusetts is working poorly for all concerned participants.

"On the other hand, competitive systems which encourage expense efficiencies and lower premiums appear to afford lower premiums to consumers and greater market stability to insurers. Therefore, on the basis of the evidence presented in this report a movement towards a competitive pricing system for auto insurance in Massachusetts is well justified."

That is the Massachusetts experience: limited availability of insurance, over 60 per cent in facility, insurance companies pulling out of the state and rates well above the national average. That is the road this government is taking us down, a very scary prospect indeed, but one that plays right into the hands of the NDP and like-minded individuals on the front benches of the government.

During the committee hearings, we heard a great deal, quite rightly, about this government's intentions to remove age, sex and marital status as rating criteria for auto insurance. Our party has in the past supported this initiative. I think former member and minister Frank Drea announced it a number of years ago, and I believe it was reiterated by Robert Elgie and never acted upon. After going through these hearings, I can understand, to a degree, the reluctance of the former ministers to act upon it.

**1740**

There are a significant number of concerns that I believe have not been adequately addressed by the government. As a result, our party is, in



essence, going to reserve judgement in respect to this particular initiative.

A lot of concerns were expressed on the impact this initiative may have on good drivers in this province, concerns that were reinforced by the Mercer report, which showed some very significant dislocation, rather substantial increases for people who have in the past been looked upon as good drivers, safe drivers. Those are the people who are going to be, in effect, paying a penalty to assist drivers who have been looked upon, with some degree of statistical evidence to back that view, as a high-risk age group.

I suspect this proposal could in fact be viewed as unfair discrimination, discrimination against good drivers in favour of bad. We appreciate that, based on the amendment the New Democratic Party made during the committee hearings, which was supported by the government—I guess we have some sympathy with that, but at the same time we think it was simply, on the part of the government, a rather—I am stuck for a word, but it will come back to me. I do not have a word in my vocabulary at the moment that is strong enough to describe the government position on this.

**Hon. R. F. Nixon:** “Intelligent, fair, well thought out.”

**Mr. Runciman:** No, that does not qualify, I am sorry.

In any event, I think what they did could perhaps be interpreted as the trendy thing to do, jumping on the human rights bandwagon. What we are doing is perhaps not politically easy by opposing this particular area, or at least reserving judgement, but we are going to take what we believe is a responsible course of action and refrain from passing final judgement until we see the regulations developed by the government.

Suffice it to say we believe it is critical that broader, more flexible rating criteria than they have proposed to date must be instituted in order to avoid implementation of a system that could be significantly more unfair than that currently in use.

Opposition parties are frequently taken to task for just criticizing and not presenting viable alternatives. In fact, the member for Welland-Thorold suggested that that is what we are doing, supporting the status quo, which is a continuing effort on their part to misrepresent the position of this party. I guess it is the old story of, if you tell a tale long enough, somebody is going to believe it; or throw enough you-know-what at a wall and some of it is going to stick. With all due respect, we have made some very well thought out and

responsible alternative proposals to what the government is suggesting.

**Mr. Wildman:** Name one.

**Mr. Runciman:** Well, thanks for the offer. I am going to take the member up on that and quickly review some of the proposals we have put forward in regard to this matter.

Our party supports a strengthened role in the current legislation governing registered insurance brokers. We would create the role of insurance ombudsman to resolve consumer complaints.

Change is also needed to break the syndrome that is prevalent throughout the system of adjusters and the legal profession in auto body repair, and perhaps this will be covered to some degree by the bill that has been introduced by the Minister of Consumer and Commercial Relations (Mr. Wrye).

When we are talking about adjusters, one thing we believe the government should also be doing is requiring adjusters to inform anyone involved in an accident of the current no-fault provisions in the act. We think there should be some obligation upon them to ensure that the consumers are very much aware of the benefits of that program.

We would also urge the federal government to eliminate income tax collected on financial court settlement awards. The federal government should amend the Income Tax Act to remove the income tax payable on the income from the amount of a damage award. These awards are often allocable to the required future care of the victim. This tax has caused lawyers to gross up insurance claims to allow for payment of the tax and still see their clients receive a significant amount of payment for damages. Our research shows that in cases of very large awards involving very seriously injured victims requiring an abundance of future care, the amount of the award could be reduced by almost 50 per cent.

Also, the idea that the federal government is taxing an injured victim for income related solely to a serious physical injury seems most unfair and perhaps even unethical.

We would also propose to restrict the right to sue by the immediate family of a victim to situations involving only the very seriously injured. In 1978, the Family Law Reform Act was amended, giving an injured person's family the right to sue a wrongdoer for the financial expenses incurred by the family and for its loss of guidance, care and companionship of the injured



person. As I mentioned earlier, we think this has gotten out of hand.

We would also like to see a change in prejudgement interest. Plaintiffs quickly launch their lawsuits, but then they delay the trial in order to earn more prejudgement interest at the prime rate. Perhaps this interest rate should be changed to that of the prevailing bank rate or that of savings bonds. This might remove some of the incentive for plaintiffs to delay cases, and it seems even more likely that the overall monetary amount of claims would be reduced.

We also suggest that insurance companies pay annuities to accident victims instead of lump sum payments. Such annuities would last only for the period of convalescence. That could be for the lifetime of a victim or for a much shorter period of time. The advantage to that, of course, is that it would be up to the insurance company to decide how the money allocable to the award should be invested. This would eliminate the possibility that an injured victim could lose his award through faulty investments. It may also decrease the number of false claims. I used this example before; I will put it on the record again: If an injured person who was given a long-term annuity was found to be playing squash six months later, the annuity could be cancelled without recourse.

We would also like to see some reduction in court costs. Currently, when lawyers go to court over insurance claims, the evidence for both liability and damages are often presented together, as both issues are adjudicated in the same proceeding. However, a study by researchers at the University of Chicago law school found that litigation costs could be reduced by as much as 20 per cent if the following measure were introduced: Have the court decide on the question of liability first. That would allow for some costs to be reduced in the preparation and presentation of the damages case where the defendant prevailed on liability. In cases where the plaintiff prevailed on liability, settlements would be encouraged.

Of course, we have strongly endorsed the concept of a rate review board—I stress “review”—comparable to that currently operating with a great deal of success in Alberta and a number of other Canadian jurisdictions and American jurisdictions.

My party is very comfortable with the position we have taken on Bill 2. It is a commonsense approach—

**Mr. Faubert:** A do-nothing approach.

**Mr. Runciman:** The member was not listening, obviously. Those people do not want to

listen. He says, “a do-nothing approach.” Obviously, he was not listening to what we are suggesting. It certainly is not interventionist. If he calls “a do-nothing approach” not intervening in a significant manner in the private sector, I will accept his definition.

**1750**

Our approach is one that recognizes the importance of the private sector in this province while at the same time looking out for the best interests of its consumers. We have proposed responsible, well thought out alternatives to the Liberal government’s heavy-handed, interventionist and ultimately harmful legislation, Bill 2.

The slightly pink but very astute Rosemary Speirs of the *Toronto Star*—I said I would mention the *Toronto Star* at some point—in a recent column—I do not have it with me—said that Bill 2 is not going to make anybody happy, that nobody is going to be pleased with this. I have to agree. It is a bad piece of work, and we are slowly but surely getting that message out.

I was just reading an editorial of January 16 in the *Peterborough Examiner* where they are talking about, “Enough is enough: More Meddling,” and: “MPPs Slated to Pass Bill 2 that Will Set Mandatory Industry-Wide Rates.”

“Queen’s Park has obviously learned nothing from its experiences with the rent review board, that bureaucratic albatross around the neck of Ontario’s rental housing industry. It insists that the same remedy, bureaucratic meddling in the form of pay equity, has a place in setting salaries in private industry.”

They are going on about car insurance and talking about essentially what we have said over and over again—during the election campaign, upon introduction of Bill 2, during the hearings and again today. This is a bad piece of work. It is Massachusetts revisited, and what it is going to do to this province will result in higher rates for all of us as auto insurance consumers.

It is going to result in less availability of auto insurance and more consumers being forced to look to the Facility Association for auto insurance. It is going to mean a further bloating of the government bureaucracy, with up to 100 new civil servants coming on stream with the associated costs, offices, etc.

**Mr. McGuigan:** Mel, are you listening?

**Mr. Runciman:** I am talking about the government’s initiative. By the way, it means 100 new civil servants. I do not know whether the member for Essex-Kent was aware of that particular implication of this legislation, the additional bloating of this bureaucracy, which

the government increased up to the election, I think, by close to 5,000 new civil servants. It is continuing in that direction with this initiative.

I mentioned earlier today the Social Assistance Review Board and plugging that board with Liberal hacks. We are going to have the same sort of thing occur in this board. It is going to be another patronage plum for the loyal Liberal followers, with the possible exception of a token NDPer. That seems to be a trend.

**An hon. member:** There is no such thing as a token NDPer.

**Mr. Runciman:** That is a matter of opinion. It seems to be a trend, not only at the provincial level but at the federal level. We can placate a lot of people by throwing an NDPer on the board—"This is not a patronage kind of appointment at all"—and hopefully eliminate or at least reduce criticism.

I suspect that might happen. I have my fingers crossed that the appointee is not going to be the former member for Sudbury, Mr. Martel, who apparently is strenuously seeking a government appointment and has even gone to the media to express his concerns about the Premier going back on some sort of a promise that he was going to have an appointment. All of us who believe in the private sector had better keep our fingers crossed that Mr. Martel is not appointed to this board. Talk about putting the fox in the henhouse. That would be the ultimate injury.

I have mentioned that the bill again is going to result in ongoing political interference in the system. It is unavoidable. Political interference goes hand in hand with increased government involvement. We have seen that in the British Columbia, Saskatchewan, and Manitoba experiences. We have also seen with this government very little reluctance to interfere and intervene in the private sector in the auto insurance industry.

The road ahead is not very rosy for private insurers or consumers. The one ray of hope, and it is becoming brighter with each passing day, is the return to office three and a half years from now of a revitalized and rejuvenated Progressive Conservative government. It is going to happen; I can feel it in my bones.

Interjections.

**Mr. Runciman:** That is the only salvation.

In conclusion, we are not supporting this bill. It is a bad piece of legislation, an initiative that

leads us on to a slippery slope towards government-run auto insurance, a quagmire that will be politically difficult to escape from.

I have repeatedly mentioned the rent control experience. We are heading down the same path, and if that has not alerted any of the members across the floor, nothing will.

**Mr. Miller:** Who brought in rent control?

**Mr. Runciman:** Well, I have said over and over again, once you get down to the slope. That was brought about by a minority government situation, as the member may well recall, and the pressures of the day. The Liberals did not find themselves in this situation because of a minority government. They have taken this initiative upon themselves with a majority government.

Interjections.

**Mr. Hampton:** Bill Davis made the commitment during the election. I remember, I was a tenant then.

**Mr. Speaker:** Back to Bill 2, please.

**Mr. Runciman:** In conclusion, this is a sad day for the consumers of this province and for anyone who believes in the free enterprise system.

Thank you, Mr. Speaker, and if you wish, I will move adjournment of the debate.

**Mr. Speaker:** We are very close to six of the clock. Are there any other members who would like to make any comments or ask any questions?

**Mr. Runciman:** I withdraw.

**Mr. Swart:** I want to point out to the member who just spoke that he said auto insurance was not a major problem. I want to say to him that I am convinced he is out of touch with reality. If he looked at the polls that were taken during that election, he found that free trade and auto insurance were right up at the top of the polls as matters of concern to the public.

Maybe he had better think about this: He may not have had people calling him because of how useless they thought the call would be. That his party never got involved may be one of the reasons that it is the third party now, instead of at least the second or first.

On motion by Hon. Mr. Conway, the debate was adjourned.

The House adjourned at 6 p.m.



**ALPHABETICAL LIST OF MEMBERS\***  
(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

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| <p>Adams, Peter (Peterborough L)<br/>           Allen, Richard (Hamilton West NDP)<br/>           Ballinger, William G. (Durham-York L)<br/>           Beer, Charles (York North L)<br/>           Black, Kenneth H. (Muskoka-Georgian Bay L)<br/>           Bossy, Maurice L. (Chatham-Kent L)<br/> <b>Bradley, Hon. James J.</b>, Minister of the Environment (St. Catharines L)<br/>           Brandt, Andrew S. (Sarnia PC)<br/>           Breaugh, Michael J. (Oshawa NDP)<br/>           Brown, Michael A. (Algoma-Manitoulin L)<br/>           Bryden, Marion (Beaches-Woodbine NDP)<br/>           Callahan, Robert V. (Brampton South L)<br/>           Campbell, Sterling (Sudbury L)<br/> <b>Caplan, Hon. Elinor</b>, Minister of Health (Orillia L)<br/>           Carrothers, Douglas A. (Oakville South L)<br/>           Charlton, Brian A. (Hamilton Mountain NDP)<br/>           Chiarelli, Robert (Ottawa West L)<br/>           Cleary, John C. (Cornwall L)<br/>           Collins, Shirley (Wentworth East L)<br/> <b>Conway, Hon. Sean G.</b>, Minister of Mines (Renfrew North L)<br/>           Cooke, David R. (Kitchener L)<br/>           Cooke, David S. (Windsor-Riverside NDP)<br/>           Cordiano, Joseph (Lawrence L)<br/>           Cousens, W. Donald (Markham PC)<br/>           Cureatz, Sam L. (Durham East PC)<br/> <b>Curling, Hon. Alvin</b>, Minister of Skills Development (Scarborough North L)<br/>           Daigeler, Hans (Nepean L)<br/>           Dietsch, Michael M. (St. Catharines-Brock L)<br/> <b>Eakins, Hon. John F.</b>, Minister of Municipal Affairs (Victoria-Haliburton L)<br/> <b>Edighoffer, Hon. Hugh A.</b>, Speaker (Perth L)<br/>           Elliot, R. Walter (Halton North L)<br/> <b>Elston, Hon. Murray J.</b>, Chairman of the Management Board of Cabinet (Bruce L)<br/>           Epp, Herbert A. (Waterloo North L)<br/>           Eves, Ernie L. (Parry Sound PC)<br/>           Farnan, Michael (Cambridge NDP)<br/>           Faubert, Frank (Scarborough-Ellesmere L)<br/>           Fawcett, Joan M. (Northumberland L)<br/>           Ferraro, Rick E. (Guelph L)<br/>           Fleet, David (High Park-Swansea L)<br/> <b>Fontaine, Hon. René</b>, Minister of Northern Development (Cochrane North L)</p> | <p><b>Fulton, Hon. Ed</b>, Minister of Transportation (Scarborough East L)<br/>           Furlong, Allan W. (Durham Centre L)<br/> <b>Grandmaître, Hon. Bernard C.</b>, Minister of Revenue (Ottawa East L)<br/>           Grier, Ruth A. (Etobicoke-Lakeshore NDP)<br/>           Haggerty, Ray (Niagara South L)<br/>           Hampton, Howard (Rainy River NDP)<br/>           Harris, Michael D. (Nipissing PC)<br/>           Hart, Christine E. (York East L)<br/>           Henderson, D. James (Etobicoke-Humber L)<br/> <b>Hošek, Hon. Chaviva</b>, Minister of Housing (Oakwood L)<br/>           Jackson, Cameron (Burlington South PC)<br/>           Johnson, Jack (Wellington PC)<br/>           Johnston, Richard F. (Scarborough West NDP)<br/>           Kanter, Ron (St. Andrew-St. Patrick L)<br/> <b>Kerrio, Hon. Vincent G.</b>, Minister of Natural Resources (Niagara Falls L)<br/>           Keyes, Kenneth A. (Kingston and The Islands L)<br/>           Kozyra, Taras B. (Port Arthur L)<br/> <b>Kwinter, Hon. Monte</b>, Minister of Industry, Trade and Technology (Wilson Heights L)<br/>           Laughren, Floyd (Nickel Belt NDP)<br/>           LeBourdais, Linda (Etobicoke West L)<br/>           Leone, Laureano (Downsview L)<br/>           Lipsett, Ron (Grey L)<br/>           Lupusella, Tony (Dovercourt L)<br/>           MacDonald, Keith (Prince Edward-Lennox L)<br/>           Mackenzie, Bob (Hamilton East NDP)<br/>           Mahoney, Steven W. (Mississauga West L)<br/> <b>Mancini, Hon. Remo</b>, Minister without Portfolio (Essex South L)<br/>           Marland, Margaret (Mississauga South PC)<br/>           Martel, Shelley (Sudbury East NDP)<br/>           Matrundola, Gino (Willowdale L)<br/>           McCague, George R. (Simcoe West PC)<br/>           McClelland, Carman (Brampton North L)<br/>           McGuigan, James F. (Essex-Kent L)<br/>           McGuinty, Dalton J. (Ottawa South L)<br/>           McLean, Allan K. (Simcoe East PC)<br/> <b>McLeod, Hon. Lyn</b>, Minister of Colleges and Universities (Fort William L)<br/>           Miclash, Frank (Kenora L)<br/>           Miller, Gordon I. (Norfolk L)<br/>           Morin, Gilles E. (Carleton East L)<br/>           Morin-Strom, Karl E. (Sault Ste. Marie NDP)<br/>           Neumann, David E. (Brantford L)</p> |
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Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

**Nixon, Hon. Robert F.**, Deputy Premier, Treasurer of Ontario and Minister of Economics and Minister of Financial Institutions (Brant-Haldimand L)

**Oddie Munro, Hon. Lily**, Minister of Culture and Communications (Hamilton Centre L)

Offer, Steven (Mississauga North L)

**O'Neil, Hon. Hugh P.**, Minister of Tourism and Recreation (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

**Patten, Hon. Richard**, Minister of Government Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

**Peterson, Hon. David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philp, Ed (Etobicoke-Rexdale NDP)

**Phillips, Hon. Gerry**, Minister of Citizenship (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

**Ramsay, Hon. David**, Minister of Correctional Services (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

**Riddell, Hon. Jack**, Minister of Agriculture and Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the Committees of the Whole House (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

**Scott, Hon. Ian G.**, Attorney General (St. George-St. David L)

Smith, David W. (Lambton L)

**Smith, Hon. E. Joan**, Solicitor General (London South L)

Sola, John (Mississauga East L)

**Sorbara, Hon. Gregory S.**, Minister of Labour (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)

**Sweeney, Hon. John**, Minister of Community and Social Services (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

**Ward, Hon. Christopher C.**, Minister of Education (Wentworth North L)

Wildman, Bud (Algoma NDP)

**Wilson, Hon. Mavis**, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

**Wong, Hon. Robert C.**, Minister of Energy (Fort York L)

**Wrye, Hon. William**, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

Vacancy: London North

\*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.



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# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 34th Parliament**  
Thursday, February 11, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, February 11, 1988

The House met at 10 a.m.

Prayers.

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### MUNICIPAL COUNCIL RETIREMENT ALLOWANCES ACT

Mr. Cureatz moved second reading of Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors.

**Mr. Cureatz:** Is the routine the same—we have 20 minutes and I can spend as long as I want and reserve the other time? Is anybody listening?

**The Acting Speaker (Miss Roberts):** The honourable member has up to 20 minutes for his presentation and may reserve any portion of that for the windup. Have you decided on a portion?

**Mr. Cureatz:** I have not yet but I will probably try to keep five minutes for a windup.

With the limited amount of time I have, which I am not used to, we will do our best on a Thursday morning with the snowstorm blazing about. I am sure that in the Ottawa Valley, the House leader is going to have much difficulty finding his way home. He will just have to stay in the big city for another night or two and I know how sorely he will be missed in his riding.

Of course, I always want to thank the translators in our booth across the way. When I have the opportunity of saying a few words, I think it is important to acknowledge them. There are people whom I call the Star Wars monitors up on the third floor someplace who are operating all these wonderful cameras. I say to the House leader that the only thing we are missing is a colour commentator. I have been mentioning this for a long time.

In regard to my proposed piece of legislation right here, as clear as it is, for legalese purposes it is quite long, intensive and in-depth. I did not particularly want it that way, but working through the offices of the Ministry of Municipal Affairs, a lady solicitor whose name is Susan Klein did an excellent job of research for me in terms of putting down on paper—boy, did she put

down on paper—some of the thoughts and ideas I have.

I say to the House leader that the difficulty is, even when someone is as vocal and clear as I know I am from time to time, there are people dialling in on television at this very moment across Ontario who just may not quite grasp the whole context, first, of my proposed bill—the Municipal Council Retirement Allowances Act, 1987—or for that matter, heaven forbid, even understand and fully appreciate the full functioning here of this chamber, I say to the member for Durham-York (Mr. Ballinger).

It would be nice, I say to the member for Durham West (Mrs. Stoner), if we had a colour commentator. Actually, I am going to bring this up later in a bill. We have a lot of time; I think, for me, another three years before the next go-around. I am going to bring up in a private member's bill that we should have a colour commentator. We have some great people such as Rosemary Speirs, and Bob Fisher from the Canadian Broadcasting Corp. They could sit in the magic booth up there and every now and again override the speaker; not you Madam Speaker, but the person who is speaking at his or her spot. I know it could be a little dicey.

**Mr. Sterling:** On a point of order, Madam Speaker: I am quite willing to give a colour commentary on this speech, if the member would like, after every two minutes. Would he perhaps like me to do that? I think he has led into this bill very well and is going to get to the meat and substance of it right now.

**The Acting Speaker:** Thank you very much for your comments. I am sure he is going into that immediately.

**Mr. Cureatz:** I will call upon my colleague. He and I have got along so well in the past, especially on the decision of who should be our interim leader, but that is a debate for another time. We will be looking forward with great anticipation for his colour-commentary comments on my proposed bill.

To finish off that aspect, we will get into some details. I say to the members, for those of them who have viewers and constituents across Ontario who tune in from time to time, surprisingly enough I get the odd letter from people across

Ontario who indicate an appreciation—I even showed one to the House leader—of my explaining what is taking place around here because, believe it or not, people do not know. After all, those new Liberal back-benchers still do not know what is going on around here. I see them wandering around lost in a fog. It would be helpful if we had a colour commentator to override the person speaking so that he could explain what is taking place here.

As to what is taking place here this morning at 10 o'clock, as we all try to wake up in anticipation of the last question period coming up at 1:30 p.m., before we get on to other committees, the recess and then come back for the spring session, we are talking about a proposed piece of legislation, the Municipal Council Retirement Allowances Act.

I say to the people at home that we will all be interested to see which way this goes. It is supposedly a free vote here in the chamber, although I admit, from past experiences on the government side, quite often the whip over there, in the days when we were the government, would try to whip all the back-benchers into shape, saying: "Oh no, you cannot vote in a particular way on this because it is going to affect some other minister's legislation. You have to do what you are told." But I know that under this new Liberal administration, freedom and openness prevail so that when the vote finally comes—

[Applause]

**Mr. Cureatz:** I got the applause, I say to the people at home. I got the applause from the Liberal back-benchers.

Freedom will prevail and we will see individually how it carries. I say to the people at home that if it passes it does not mean it becomes law, because it is up to the government—the four front people; the Premier (Mr. Peterson), the Attorney General (Mr. Scott), the House leader (Mr. Conway) and the Treasurer (Mr. R. F. Nixon), who really run everything around here—to decide if it will become law by being asked to come forward for third reading and assent by the Lieutenant Governor. I am not holding my breath on that one.

I am not holding my breath for a couple of reasons. It is interesting that since I proposed the legislation, I have received a number of phone calls and letters from municipalities across Ontario. We have stirred up some interest. Indeed, the bill is not infallible. There are some mistakes in it. But the whole idea was to bring it forward and have some discussion so that we can talk about the general issue of trying to get people

more involved in politics, at all levels of politics, be it municipal, provincial or federal. Boards of trustees is an area I missed that was brought forward to my attention by various trustees across Ontario. They would like to have coverage under the umbrella of the proposed legislation.

The idea in bringing forward this bill is to have some discussion among us here, to have some feedback across Ontario and to try to stir up some interest from people in Ontario so that if they are considering getting interested in politics and running for politics, they could look at it as a career, as establishing, in terms of what some of us have established in our own professions, in our own businesses, a long-term approach, albeit it can be a little hairy because after all we succumb to the electorate from time to time. They may cut our careers short. On the other hand, there are one or two of us, I say to my alerted colleague the member for Welland-Thorold (Mr. Swart), who has been here much longer than I have and has established a long career. I give him credit for that.

We should be encouraging people at the municipal level to also establish long careers. I am sure all of us who have been involved in politics, and those of us who have had the opportunity to serve at municipal council—I have not had that opportunity, but we know people who have—feel we should be encouraging people like that to stay in municipal government and to keep running and encouraging other people to run in politics.

**1010**

What is one small way of giving them encouragement? I see the Minister of Municipal Affairs (Mr. Eakins) has been talking about the limitation of funding, the manner in which those particular councillors can attract funding to fund their campaigns, but we should help them on the other side.

I know this falls under the ambit of, "Oh, no. Here are politicians looking after themselves again." It is the same old routine that we went through just before Christmas about our own salary increases. I will tell the members, that one has not been resolved yet. Eventually, one government, one day, is going to have to take it out of our hands and set it up where it should go, which is up to the commission. Let the independent body decide—similar to what we have now, an independent body in the conflict-of-interest act we just passed this week.

In any event, we should allow the councillors the opportunity of looking at politics as a career,



and one way of encouraging them is to provide the opportunity for them to establish a pension fund for themselves after a set number of years. There are details in the legislation that lay that out. We would not want to particularly say that a person should serve for 20 years and then should be entitled to a pension, but our own scheme here is the serving of five years. So I picked that particular number. If you serve five years, that would at least ensure that you ran for two terms, and then you should be able to establish a pension fund for yourself.

Well, I will have to say to you, Madam Speaker, and all my other learned colleagues here who are so interested, and for those who are not around—I know they will be reading Hansard later tonight just before they retire so they can be brought up to date on my particular comments—I am a titch ill prepared for my debate because I was anticipating we would have the long recess and then when we came back for the spring session, I would have all the necessary documentation prepared. What happened? We had to sit through Christmas. We are back again for this short week, and lo and behold, here I am.

What I attempted to do—and I will let the member for Kingston and The Islands (Mr. Keyes) know—was I sent a copy of the bill to all the municipalities across Ontario asking for some feedback and some information and some thought process, and that has just started to come in. We have not had as much as I had hoped and we were thinking that over the time lapse, as I indicated, we would have had more so that we would have a fuller discussion, but we will work with what we have. The indication from some municipalities, it was brought to my attention, is that there is a provision where some councillors, if the council so votes within itself to establish a pension fund, can indeed do so. They were concerned that such an act might affect that fund.

Well, I have to confess: We did not make provision for that under the legislation. That can be corrected easily enough; we can amend that at some future time in so far as if the government adopts the proposals so that it can make the amendment. The point is that we did not specifically want those particular pension funds to be affected for those municipal councillors who have already voted themselves a pension program.

The other area we could have concentrated on was indeed to look at the school board trustee level. Indeed, we made no provision for those people who have made a career out of serving their communities at the public school trustee

level. There is an individual in the city of Oshawa, George Saywell, who I believe is the longest-serving public school trustee in the province of Ontario. I believe it is well over 30 years.

In any event, that is another little aspect of the legislation that we missed, and if I had put my mind to it, I would have made provisions so that we could encourage people who are trying to make a long-term career of putting some input, some of their concern, at the public school or the separate school boards, so that we should have made some provision for them also.

Now, the point of the matter is that we have had some phone calls and letters from across Ontario in regard to this particular piece of legislation. We were hoping to have greater input but indeed will still be recommending a discussion next year with the Association of Municipalities of Ontario and the rural municipalities of Ontario, some further input from them and some discussion in terms of how they would look at the matter.

Of course, one would think they would be appreciative of us taking this very sensitive topic in terms of politicians looking after themselves out of their hands. It would allow us to make that particular decision in terms of providing some kind of pension benefits for those people who are seeking a municipal career.

I know all members know people who have served; I can think of the member for Durham-York, the former mayor of Uxbridge. He knows municipal people at the Durham Regional Council who have approached me on the bill, one being the mayor of Pickering who has been very supportive of the legislation. Of course, they have been hesitant, I suppose, at the council of Pickering to come forward with their own piece of legislation for pensions because it takes it out of their hands and lets us decide.

If we are the greater body—indeed, under legislation, the municipalities get their power from Ontario—that being the case, then we should take the ball and look at the problem very responsibly and say: "Let us try to encourage. Let us try to get more people involved at the municipal and trustee levels of government." Indeed, one way that we can show leadership, one way that we can get enthusiastic about the proposal is to provide a kind of pension fund so those individuals feel a little more secure that they are going to have something established monetarily, besides the gold watch and a fancy little plaque when they finally finish their careers



in politics or, indeed, when the electorate decides that their careers are finished.

Time is marching on. I have almost five minutes left, which we will try to retain, so I can respond to other members; but I just wanted to wind up with these remarks until later in the morning.

The Minister of Municipal Affairs, the member for Victoria-Haliburton—someone with whom I get along very well, my neighbour to the north, and indeed I say that we have always been co-operative—has, interestingly enough, sent me a letter which I guess other members have received, advising me that, “To help meet the needs of elected members of municipal councils and to increase public awareness of local government, my ministry’s municipal education and training secretariat will be conducting a series of seminars across the province in February and March.”

I think that is a good idea. I think it is good for the province for the minister and his staff to take leadership to, again, follow through with a program to help those new councillors, just as all the newly elected members here had a little program at the beginning of the session, it being instructive in terms of setting up a riding office, how to find appropriate staff and how to find their way around the maze at Queen’s Park. I think it is good for the minister and the government to take leadership in terms of helping those newly elected municipal councillors with the municipal election coming up this year.

He could have added a nice little cap to the whole thing by saying: “We are going to be looking at the possibility of specific legislation for setting up a pension for those people who want to have a career in municipal politics or being a school board trustee so that we can encourage you to stay in because we want people across Ontario to feel comfortable. Indeed, when they have lots to offer, we are proud to provide to them the availability of a small monetary pension so that upon their leaving or upon, indeed, the electorate deciding that they should leave, they will feel that the contribution has been worth while, besides getting that particular gold watch, fancy plaque or the licence plate ‘XMAYOR.’” Is that what they gave the member for Durham-York?

We want to get something a little beyond that, and that is what the legislation is all about. There are some areas in it as, indeed, we have well found, but the idea was to have a discussion paper. We talk about red papers, green papers and white papers; this is the Sam paper on the

municipal pension plan, to have further discussion, airing of views and working towards at a future date the possibility of establishing such a piece of legislation.

Madam Speaker, I thank you for my time and I will reserve the last three humble minutes for the conclusion of my debate.

**Mr. Neumann:** It is a pleasure for me to rise and give comment with regard to Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors.

Having heard the honourable member who sponsored this bill, I am tempted, for the benefit of the television viewers watching, to clarify the issue of the day by reading the entire bill during my 10 minutes. I believe those of us who were in the House during the debate on the resolution on free trade did experience that with the honourable member. However—

1020

**Mr. Ballinger:** He is not listening, David.

**Mr. Villeneuve:** And you did learn something, didn’t you, David?

**Mr. Neumann:** I did learn something from that. I learned a great deal about the honourable member.

However, there are some comments I feel should be made regarding this bill. First, I would commend the member for tackling this sensitive topic and recognizing the importance of municipal councillors in Ontario. There are over 800 municipalities, not to mention all the many school boards and public utilities commissions on which citizens serve.

The general intent of the bill, which is to encourage citizens to be attracted to serve in municipal government and to provide them with some pension upon completion of their service, is perhaps a good intent. However, I am also pleased that the member has initiated consultation with the municipalities because, indeed, there is discussion going on between the ministry and the Association of Municipalities of Ontario on this very topic.

However, it is our impression that the vast majority of municipalities in the province are not interested in this particular concept. There is some interest in the larger urban municipalities, where councillors tend to be more full-time councillors. It is therefore important that any legislation passed by the provincial government reflect the diversity of the province and allow for local option at the municipal council level which, indeed, is already permitted across Ontario.



Municipal councils can opt into the existing Ontario municipal employees retirement system plan. This has worked well. Some municipal councils that feel they need a pension plan have opted into the plan; other municipal councils that feel they do not want it have not done so.

There might be some improvements that could be considered with regard to the present approach, and I could name two improvements that might be considered. First, in some councils the mayor is virtually full-time and the aldermen are not. When you opt in under the present scheme, you must opt in all the members of council. There is not a possibility just to opt in the mayor's position.

In some cases, because the aldermanic positions are part-time, the councils have voted not to do it. In other situations, opting in for all of the councillors does create a hardship for some members of council. If a person is serving in business and he is on council part-time and the council votes to opt in to the OMERS plan, sometimes it is a pittance of a pension. Yet having that pension registered on the income tax form reduces the amount that the person can contribute to his private registered retirement savings plans. So it does create a hardship for some municipal councillors if the entire council opts in.

Having pointed out the need for flexibility, I can point out one particularly vexing problem with regard to the bill that is proposed by the honourable member, which is that this bill would make it compulsory for all municipal councillors; at least that is the stated intent. The member, on the other hand, probably by error, misdefined what a municipality is.

There is an intention that it apply to all councillors, but under the definition of "municipality," it says: "'municipality' includes a metropolitan, regional and district municipality and the county of Oxford." So while his intent was to include all municipalities, he has left out all lower-tier municipalities, all school boards, all public utilities commissions and separated cities across the province. So even the stated intent is not achieved. The bill does have a number of flaws in this regard.

Second, if members look at subsection 9(3) of the bill—and I will read it for the honourable members: "Subject to subsection 14(3), the amount of a person's annual allowance"—this is the pension that the person would receive upon retirement—"under this section shall be an amount equal to 75 per cent of the total of his or her contributions as a councillor, but the amount

of the allowance shall not exceed the amount of his or her indemnity."

Let us assume that a councillor has served the minimum five years and makes contributions over the five years. According to this payment formula, 75 per cent of what he contributed during that entire five years would be paid out in the first year. The plan would be bankrupt within two years. This plan is not actuarially sound.

Perhaps the honourable member, in drafting this bill, meant to say a percentage of the salary or the honorarium of the councillor averaged over five years or whatever. If that was the intent, then that is not what is stated here. Having checked with some experts on this, I find that this plan would be seriously flawed; it would be bankrupt within two to three years. Assuming that there might be some interest earned on those contributions, it would be bankrupt within at least three years. So it is not a long-standing plan at all.

Another major flaw in this bill is that the bill makes it compulsory for all councillors to be enrolled in this plan and establishes this municipal retirement fund. However, the bill nowhere gives municipalities the authority to raise the money to pay for it. Municipalities are mandated to have this approach but are not given the power to act to implement it. So there are certain problems there.

Another flaw—not a flaw but a difficulty that might be faced by municipalities in implementing this—is that the retirement age is set at 55. This may create some concern for municipalities across Ontario when they have been trying to maintain a retirement age of 60 for police and firemen and a retirement age of 65 for most municipal employees. To set the retirement age at 55 for the councillors might create a precedent that many municipalities would not want to look at.

In conclusion, I commend the member for raising the issue. I think that is his purpose. He himself has admitted that there are some flaws that he has picked up in feedback from municipalities. I think it is a topic worthy of discussion and I urge the Association of Municipalities of Ontario and its respective sections to review this topic. There may indeed be a need for changes in the existing provisions which allow a municipality, at its request, at its option, to opt into the current OMERS plan. As I mentioned, there might be some need for improvement in these areas and this is being considered.

Some municipalities have not been satisfied with the OMERS plan and have approached the



province for private legislation. In one or two cases, private legislation has been granted to structure a retirement fund specifically tailored to the needs of a particular municipality. I think that reflects what this province should be doing. It should recognize the great diversity that exists across Ontario.

Whatever kind of retirement scheme is put in place or the authority to implement one should be done with a clear local option and with some ability for flexibility at the local level, because there is quite a significant difference between a municipality like Mississauga or Ottawa or Metropolitan Toronto and a municipality like the township of Tiny or the township of Oro or the village of whatever. These smaller municipalities do not have the same degree of interest, and the vast majority of municipalities across Ontario are smaller municipalities.

In conclusion, the bill has a worthy intent—and I commend the member for it—and that is to raise the profile of municipal councillors who serve very often for very little benefit. They take the criticism of their citizens, they serve, and I am sure they get their rewards from seeing things done in their local municipalities. The intent here is to raise the interest and the profile of municipal councillors across the province, to encourage involvement and participation.

I think it is a very worthy intent but I cannot support the bill as worded. As I pointed out, it does have a number of serious flaws in it. I can assure the member that the matter is being reviewed by AMO and, hopefully, some changes will come about.

**Mr. Breagh:** This is one of those occasions when I think we have just been treated to a classic case of Liberalism, where the member rides both sides of an issue and comes down on neither. Let me try to do it the other way around, which I think is a little more appropriate. I think the principle of the bill, which is essentially what we are discussing today, is one that is worth supporting, so I will support it.

As the member noted, I observed when he introduced the bill today, there are some pretty serious flaws in here and it would take some considerable amount of work at the committee level to correct some of those problems. An obvious one would be that there are a lot of people who are elected at the local level who have been excluded by the bill, and I do not believe that was the intention. I would certainly want to see that there was provision for some pension fund application for people who provide that same kind of service on a school board or on

a public utilities commission. I think there are a number of ways that one can go about that.

**1030**

It is interesting that the member for Brantford (Mr. Neumann), when he spoke, gave the old litany that we have heard for the last 44 years about how you can already do this. The reason most councils are not really very interested in participating in what is called the Ontario municipal employees retirement system fund is that it is such a lousy pension plan. While many of them ironically deem it to be good enough for their employees, they cannot see it as a pension plan for themselves.

If the government wants to take this notion and expand upon it, maybe one of the best things it could do, something that would make that plan more attractive to people who are on councils, is to just make it more attractive in general so that people who are employees of a municipality could have a decent pension plan, which in my view they do not have now. There is an option that should be explored, to take the existing OMERS pension plan, which is already in place; and the attractiveness, of course, is that it does not require then that we set up a new mechanism and a new plan and all of that. If we took that plan and made it a more decent retirement fund for all municipal employees, then we might well find that more municipal councils would like to participate in that process.

There are, I think, a couple of other things that have to be noted in here. There are a lot of different circumstances out there. One of the nice things about municipal politics in general, whether that is on a school board or a PUC or on a council, is that you do not all the time have to give up your current occupation to participate in the political process. It is one of the last places in Canadian politics now, I would say, where it is still possible in many communities to retain your employment and go off to a council meeting two or three nights a week. The difficulty, of course, is that in many of our centres even local government is becoming a very complicated piece of business and it is not possible for many of our citizens to retain an active interest in a business or in their profession and remain on a local council. I do believe that sooner or later we are going to have to make some provision of this kind, better than what we now have, for local elected people.

I do not think there is any question about it, that it is not really desirable to have only those who are affluent serving in public office at the local level. I think the idea of politics in general is



very simply to gather not the brightest, the best and the wealthiest but a good cross-section of your community, whether that is on a local council or in a Legislature like this one. It does not mean that only the rich can serve in public office, or it should not; when you get it to that point, then you do have to deal with the mechanics of it all, that somehow people who serve on a local council have the same rights as everybody else does to some kind of pension plan. They do not, in my view, have that option now.

It is conceivable and it is possible, for example, to have a local council put all of the people on that council into the OMERS, the municipal employees retirement fund, but the difficulty, as the member for Brantford pointed out again, is another classic case of Liberalism. So many rules and regulations are set in place that you cannot possibly attain the goal; the whole council must be involved in it, even though in a local municipality it might well only be appropriate for the one person who is full-time—that might be a mayor or a reeve; he or she might be the only person on that council who has a legitimate need—and yet the rules are structured in such a way that the whole council must go into the plan or no one can.

I think the member has admitted his faults when he introduced the bill. Sometimes the member for Durham East (Mr. Cureatz) does startle us—he occasionally lapses into honesty, and it throws the whole system off here—but he began the process this morning by admitting that the bill itself is flawed. I do not think that really should mean at this stage of the game that we throw the bill out completely. In normal parliamentary structure, the process would be very simply that at this stage we would debate in principle whether this is a good idea or not. I believe, quite frankly, that it is. We would then send it to committee, and committee is where we would go through the bill clause by clause, pose various amendments, include other people who should have been included in this bill when it was drafted initially and perhaps give some consideration to setting up a separate fund, if you really want to do that, and I am not convinced that that is the best way to go.

I know that there is a need to incorporate into this type of legislation a lot of flexibility, and it seems to me that this bill as it is currently drafted really does not do that very well. It would require a lot of work at the committee stage to consider all of the options that have to be incorporated into this bill, to consider the different circumstances

that people find themselves in when they are, I think, put at a political disadvantage by taking public office.

I would say that part of it is the most important part. We are probably at a stage in the development of our political process now in Ontario where there is a fairly large number of people who are put at a decided economic disadvantage because they choose to take some kind of public office. I do not believe that should be the case. I would always advocate that people who go into public office to make money are crazy and should never be elected. But I do not believe either that people who serve the public ought to pay an economic penalty.

I think there are all kinds of other penalties that we are willing to pay, and my wife and I have this argument annually—that it is fair game to say that there is more demand on you, that you have less privacy, that people who have complaints have a right to bring them to you and you have an obligation as a public servant of some kind at some level to hear them and try to help them—but it is unfair to put an economic disadvantage in place in addition to all of these other ones.

The purpose of the bill should simply be to see that people who serve on a local council have access to a reasonable pension plan, and if it means, as it does now, that they are cut off from that by virtue of the fact that they get elected to a local town council, that is wrong, in my view. In my own instance, for example, I know of a number of people who were teachers, who had a good teachers' superannuation plan, who began their political careers by getting involved with politics at the local level. Some of them have gotten involved to the extent that they cannot continue teaching; that means they are excluded from the teachers' superannuation plan. Some of them—again a myriad of regulations pops up on the scene—can continue to pay into the teachers' plan, so they have a retirement plan. Others, through circumstances beyond their control, are excluded from that. I believe that is a basic unfairness that at some point in time we have to address.

I commend the member for his initiative and for his honesty in putting forward a bill this morning that is flawed, but at this stage of debate we are supposedly debating the bill in principle. While we could go on at some length about all the things that are wrong with this bill, I believe the principle is correct. I believe that there ought to be put in place a pension plan of reasonable proportions that gives people at the local municipal level, whether that is a school board, a



PUC or a council, or whatever the position might be, access to a decent pension plan. That is the principle of the bill, and that is the part that I would support.

**Mr. Sterling:** I would like to speak in support of my colleague's bill. I think the member for Oshawa has portrayed it in its correct light in terms of dealing with this whole issue. As a member who in the past has represented over 13 municipalities, ranging from the city of Kanata to the town of Merrickville, where we had some 800 souls and five municipal politicians, I know there is indeed a wide range of need for municipal councillors to have an adequate retirement fund.

I think the parliamentary assistant to the Minister of Municipal Affairs, the member for Brantford, has pointed out a significant problem with existing legislation dealing with OMERS. That particular problem was highlighted in a letter to me from the city of Kanata, which is a city of 30,000 people where even the mayor is not a full-time politician. It was felt by the majority of their council that they could not opt for the OMERS kind of pension, because the majority of the council could not afford to give up their private pension plans, which they had in the guise of a registered retirement savings plan.

What happens if you get involved in a pension plan, even if you have a contribution of \$1 per year, is that it reduces your eligibility to contribute to an RRSP from \$7,500 to \$3,500. In most cases, when we are dealing with councillors who are getting paid relatively minor amounts of money, considering the loss of the access to their existing long-term pension plans, which they have set up for themselves, and the fact that they cannot count on being elected from time to time, then they would prefer to opt out of the OMERS plan.

1040

I wrote to the Minister of Municipal Affairs, I believe it was three or four years ago, with regard to the problem of individuals within councils being able to opt out once a council had opted into the OMERS plan. Unfortunately, no action was taken at that time. I hope that by the member for Durham East bringing forward this bill, at the very least the government will deal with the particular problem of individuals opting out of the OMERS plan. I cannot understand why it would be a problem for an individual to opt out of that particular plan if he or she so chose.

One of the objections of the parliamentary assistant to the Minister of Municipal Affairs, the member for Brantford, was the compulsory nature of this particular piece of legislation. I

believe the compulsory nature of the legislation is a good thing. In many small municipalities, it is a very delicate matter for municipal politicians to vote themselves a pension when they are representing a very small area. I do not think the pension should be very large, if in fact their duties are not very heavy, but in a lot of cases, when you get into small towns of less than 1,000, you are really talking neighbour against neighbour.

I think the compulsory nature of this legislation should be there, with an option for a municipality to opt back out if that would be its choice. In other words, the positive step would be coming back out rather than going in. I also believe there should be an opting-out provision for each and every elected municipal politician across the province.

I will not take too much more time, other than to say that I think it is an important issue which the member for Durham East has raised. Sure, there are some flaws with regard to the bill, but there is nothing in it that cannot be remedied in a committee. I know from his statement to the Legislature that he is open to reasonable argument with regard to any part of the bill. I think what he wants to see is a fair break put forward for municipal councillors who, in general, are underpaid for what they do across this province, particularly in smaller municipalities. I laud him in his efforts to bring this issue to the fore.

**Mr. Adams:** I rise to speak against Bill 75, which seeks to establish a municipal council retirement fund and to provide retirement allowances for municipal councillors.

I must say that I feel some guilt in taking this position. My guilt comes principally from two causes. One is my respect for elected municipal officials and the other is my respect for the member for Durham East, the sponsor of the bill.

With regard to my respect for elected municipal officials, I would like to share with the members, if I might, my vision of politics and government in Canada.

When I think of politics and government in Canada, I think of a fortified hill. At the top of the hill, deep in the ground in a safe and comfortable cave, is the federal government watching events on the outside on television. Around the outside of this fortified hill there is a system of trenches with comfortable bunkers in which we, the provincial elected officials, operate. We have to go out into the outside world and take a great deal of heat, but we do occasionally get back into our comfortable bivouacs and can rest.



Around the base of this fortified hill, there is a system of trenches which have no roofs and are very muddy, where the elected municipal officials live and work all their elected lives. Those in municipal office deserve all the support and encouragement we can give them. In connection with that support, they deserve an excellent benefits package, including retirement allowances.

Unfortunately and sadly, Bill 75 is not the vehicle for those retirement benefits for those very worthy people. As my colleague the member for Brantford has indicated, the reason for that is that the bill contains many serious errors. It is not worthy of its important cause.

The second reason for my guilt in opposing this bill, as I mentioned, is my respect for the bill's sponsor, the member for Durham East. I have shared with members my vision of politics and government in Canada. Let me share my vision of the third party in this House.

In my vision of the third party, I see its members as a galaxy of stars. This is a galaxy of stars which, at the speed of light, is moving rapidly away from the galaxy in which the rest of us live. In that galaxy of stars, which is moving away so rapidly, in that galaxy of rapidly fading stars, I see the member for Durham East as a shining light. Although almost invariably we disagree with what he says when he speaks, we listen. We believe his intentions are excellent and his political instincts are excellent. We believe his cause is a really good one. It is very unfortunate, as my colleague the member for Brantford has indicated, that he has chosen this dangerously flawed bill as the basis for his intentions on this particular occasion.

Our problems with the bill include the very vocabulary, the wording of the bill, the way it is phrased and its financial basis.

**Mr. Villeneuve:** He wants it in French.

**Mr. Adams:** Oui, certainement, monsieur.

First of all, let us look at the definition of "municipal," for example. This deals with elected municipal officials. The definitions become very important, as members know, in bills of this type. The definition of "municipal" simply does not address the extraordinary diversity of municipal government in Ontario today. As has been mentioned, where are the school boards? Where are the public utility commissions? Does it deal with small rural municipalities as well as it deals with urban municipalities? Does it deal with regional councils and so on? The very definitions of the bill are limited and unworthy of its cause.

My colleague the member for Brantford indicated that the bill is actuarially unsound. This means simply that it will not work financially and my colleague from Brantford has indicated his reasons for that. To give a simple example from subsection 9(3), the figure of 75 per cent is mentioned for the pension levels. As we know, the highest legal amount for pension contributions under the Income Tax Act is 70 per cent. Why the five per cent difference? Thought has not been given to these figures.

#### 1050

Then we have to ask if we really need a separate pension fund for these worthy municipal officials at this time. With all the limitations that have been mentioned, OMERS is serving many municipal councillors well at this time. I would suggest, and I accept the limitations that have been mentioned by some colleagues, that it provides a better basis for improvement at the present time than does Bill 75.

Under OMERS, local councils have the opportunity to buy into the plan by resolution, and many have done so. They can buy in on a contributory basis or a noncontributory basis. For example, my colleague the member for Sudbury (Mr. Campbell) advises that in his city the councillors are all involved in OMERS and the city pays the full expense, so they obtain retirement benefits fully at the municipality's expense.

My colleague the member for Mississauga West (Mr. Mahoney), on the other hand, says that in his municipality both the councillor and the municipality share the cost. He says to me that among other things the OMERS plan is very bad in terms of its portability. This is certainly something we should look at. We are very interested in elected representatives moving from one level of politics to another. We are also interested in people moving into elected office and moving back into their professions.

**Mr. Wildman:** As soon as possible.

**Mr. Adams:** The member can speak for himself.

It seems to me that OMERS is a flexible, easily available option which already exists and we should work to improve it.

To be honest, I was surprised to hear representatives of the third party supporting the compulsory aspect of this bill. Given their political persuasion, I am very surprised they would support something which would be compulsory for thousands and thousands of elected officials. It seems to me that any plan that deals with this complicated matter should at least

have the flexibility of being optional, so we have concern with the compulsory aspect too.

Briefly, this is a worthy cause, but an ineffective and probably unnecessary response to that cause. I would say in closing, "Say it again, Sam, in a better way, and you would have our support."

I must vote against Bill 75.

**The Acting Speaker:** Does any other honourable member wish to participate in the debate?

**Mr. Cureatz:** Are you indicating it is my time now to do my summing up?

**The Acting Speaker:** The honourable member has three minutes and five seconds to complete.

**Mr. Cureatz:** Four minutes would be great. The Clerk very kindly gave me another—

The member for Algoma (Mr. Wildman) wants to say a word or two.

**The Acting Speaker:** There are three minutes left. If you would care to speak, the member for Algoma.

**Mr. Wildman:** I appreciate the opportunity to participate. I enjoyed the speech just presented by my friend the member for Peterborough (Mr. Adams).

On second reading, we are dealing with the principle. If my colleagues in the Liberal Party who have spoken on this private member's bill indicate that they agree with the principle of providing pension benefits for municipal politicians who are out there every day in the trenches and deserve disability pay after the difficulties they are going to experience in municipal politics day to day, I think they might consider supporting the legislation in principle and then deal with questions of definition or even changes in percentages in committee and present amendments to the bill, or for that matter, consider the possibility that we might hold hearings at which members of municipal councils across the province might be able to make their views clear on what ways this legislation and the principle might be implemented.

I am sure my friend the member for Durham East would agree that would be an approach that might be taken, that we could benefit from the views of municipal politicians, participants at the municipal level across the province on ways this legislation might be improved. None of us who present legislation in this House, no matter how carefully drafted, ever claim that it is perfect and could not be amended to improve it.

I really do think that if we all value the work done by municipal politicians and if we recog-

nize that more and more often it is difficult to maintain one's own private profession while participating in political activity at the municipal level, then we should be attempting to protect the pension eligibility of people who present themselves for election at the municipal level. I call upon the members of the House to consider carefully that what we are discussing here today is the principle of providing pension benefits for municipal politicians, and that there is nothing in passing it on second reading that means we cannot amend the legislation to improve it.

**Mr. Black:** You can't make a silk purse out of a sow's ear.

**Mr. Wildman:** I do not know whether he is talking about the legislation or the person who is presenting it.

**Mr. Black:** Both of them.

**The Acting Speaker:** Order.

**Mr. Wildman:** At any rate, I urge members to support the legislation in principle.

**Mr. Cureatz:** I know all members regret sorrowfully that I only have three minutes to conclude my remarks, but possibly at another time and another place, we will get back to the topic and I can centre in specifically about some of the remarks. I know I am really in the opposition when the member for Oshawa (Mr. Breaugh) and I agree with one another.

I say to all the Liberal back-benchers who are here that it is interesting where I get the support from—indeed from the New Democratic Party, but more important from some members who have been around here for a good length of time such as the member for Oshawa and the member for Algoma. I do not see one cabinet minister of substance here this morning debating this very important issue affecting municipal councillors across Ontario. The member for Oshawa and the member for Algoma know very well—

**Hon. Mr. Sorbara:** Point of privilege, Madam Speaker.

**The Acting Speaker:** Order.

**Mr. Cureatz:** As long as it is not off my time, he can have the point of order.

**Hon. Mr. Sorbara:** I think the point of privilege is obvious. It is the comment made by the member from wherever he is from; I do not think anyone cares any more. But it would be appropriate, I think, for him to withdraw the remark.

**The Acting Speaker:** The member for Durham East, I am sure, is going to continue with a minute and 31 seconds left with—



**Mr. Cureatz:** One minute and 45 seconds because that was not a point of order, Madam Speaker, and I can add the extra few seconds to my time.

In any event, the more learned members of this learned assembly, the member for Oshawa and the member for Algoma—who have been around for a while—have grasped the gist of the legislation, that we are looking at the principle on second reading. We are looking at the idea of what we are trying to do.

I say to the member for Brantford and the member for Peterborough that they have kowtowed again to the four horsepeople of the apocalypse. They have again taken those members down the path of getting all that civil-servant staff and saying: "Look at the details of the legislation. Find out every doggone clause that is wrong with it and then you are going to speak against it."

Members opposite have been told again they have no independence. Let them go back to their own municipalities—I say to the former mayor—let them go back to their own councillors in their own ridings and say, "We love you all." As the member for Oshawa says, it is typical Liberalism. I am not as sarcastic as he is, nor could ever be. I just say it is typical government. Members opposite are playing the back-bench role again, being told by the Four Horsepeople what to do. Let them make sure they go back and support the legislation. We will be looking with great interest to see if the—

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**The Acting Speaker:** Order. The time allotted for this ballot item has expired.

### CULTURAL EXCHANGES

**Mr. Daigeler** moved resolution 14:

That, in the opinion of the House, and in the interest of improved understanding between English- and French-Canadians, the government of Ontario be invited to promote more wide ranging exchanges between francophone and anglophone communities in this country, and specifically, that the government of Ontario be encouraged to establish twinning programs for Ontario and Quebec municipalities.

**The Acting Speaker (Miss Roberts):** The honourable member has up to 20 minutes for his presentation and may reserve any portion of it for a windup.

**Mr. Daigeler:** Thank you, Madam Speaker. May I first of all thank you and the other members of this House for having given unanimous consent to replace my earlier private

member's motion with a new one. I regret very much not having been able to address the functioning of abortion committees under the 1969 federal abortion law. However, in the light of the recent Supreme Court of Canada decision declaring these committees unconstitutional, my previous motion clearly has been superseded. Nevertheless, I wish to state my firm expectation that the federal government will move quickly to introduce new legislation that will protect the rights of the foetus while respecting the rights of pregnant women.

The concern that I wish to address in the motion before us today arises out of personal experiences during my election campaign. I am sure, however, that my own experience was shared by many others across this province. Like myself, many members of this House will have met during the election Ontario citizens who expressed grave reservations about the extension of French-language services through Bill 8.

For some, this hesitancy was based on a lack of information about the actual government intentions. Many others, at least in eastern Ontario, were opposed to francophone rights on less defensible grounds. They saw, and continue to see, the extension of francophone services as an unwarranted expense for a minority and an intrusion into the accustomed privileges of the anglophone majority. This attitude, which I regret greatly, was expressed too often and in too strident a tone for us to neglect this phenomenon. We cannot sidestep the feelings and perceptions about our country which lie at the root of this attitude.

At least in my area, I was faced with what I can only describe as a very unhealthy degree of antagonism and suspicion between a significant number of English- and French-speaking Canadians. I do not wish to give a detailed account of certain unpleasant memories, other than to remind this House that the Alliance for the Preservation of English in Canada-inspired independent candidate in Stormont, Dundas and Glengarry received almost 5,000 votes in the last election. As legislators, we must take courageous steps to rectify this unfortunate state of affairs. Let us work towards a new era of welcome and appreciation between the English and French partners of Confederation.

The motion that I am placing before this House today is one way to move us forward in this direction. Acknowledging the good work that has been done to date, and especially the renewed efforts over the last two years, my motion encourages the government to go even further



and to adopt as a major priority the improvement of French-English relations in this country.

Comme je l'ai indiqué dans ma motion, un moyen important d'améliorer la compréhension mutuelle de personnes venant de diverses cultures, est d'entretenir des contacts interpersonnels réguliers et fréquents. Mon expérience personnelle en tant qu'étudiant en Europe, et les efforts gouvernementaux depuis les années 70, nous confirment que les programmes d'échanges sont d'excellents moyens de bâtir une conscience nouvelle, ainsi que de la tolérance et de la compréhension interculturelle partout dans le pays.

For the benefit of this House, for the viewers on television and for the readers of Hansard, I would like to give a brief overview of the relevant provincial programs currently in place and of their limits. I am grateful to Ann Porter of the legislative research service, who has prepared this information at my request.

Ontario government initiatives include, first of all, a cultural exchange program. This program is delivered by the Ministry of Culture and Communications. It includes activities such as dance, theatre, printmaking, concerts and so on. For example, last year the ministry supported Quebec artists working in Sault Ste. Marie and Ontario artists working in Magog.

Programs delivered by the Ministry of Education include the Ontario-Quebec student exchange program where 16- to 17-year-old high school students are twinned with someone in the other province. The students reside in each other's homes and attend their twin's school for three months. From all accounts, this is a very successful and popular initiative. In 1986-87, 184 Ontario students were involved in this exchange.

The Ontario-Quebec class twinning program also falls under the direction of the Ministry of Education. There the exchange takes place through correspondence and information sharing; 81 classes took part last year.

Finally, there is the possibility for school principals to go to Quebec for a week. Only two principals participated in this program last year.

The Ministry of Colleges and Universities funds student and staff exchanges at the community college level; 150 individuals from each province participated in this initiative last year. At the university level, grants are available for joint research projects for exchanges between Ontario and Quebec faculty, staff and students. Finally, for graduate studies in the other province we have 10 fellowships available.

Third, there are exchange programs for civil servants organized by the Ontario human resources secretariat. Summer student exchange programs give 100 university students from each province an opportunity to work for 13 weeks in the civil service of the other province. A civil servant exchange program is targeted for people in senior management positions. Only two individuals participated in 1986-87.

Plusieurs évaluations des programmes existants ont mesuré leur impact vis-à-vis des attitudes et des motivations des participants et participantes. Même si quelques études académiques n'ont pas pu établir un changement majeur, en général, les résultats sont très encourageants. La plupart des participants et participantes démontrent une connaissance plus approfondie de l'autre culture, ils ont des attitudes plus favorables et ouvertes envers les autres et une motivation plus ferme à apprendre soit l'anglais ou le français.

Some limitations of the program have also been identified. These limits include the fact that a fairly limited group of students are involved, both in terms of background and geographic location. An evaluation of the 1978 summer exchange programs done by the Bilingual Exchange Secretariat found that only one per cent of the participants from Ontario came from homes where the father was in an unskilled occupation or was unemployed, while 47 per cent came from homes where the father was a professional or in a high-level management position. They also found that visible minorities were virtually absent from the program and that members of nonvisible ethnic groups participated only in very small numbers. In addition, only a limited number of Ontario school boards participated in the exchanges.

#### 1110

The tendency of the programs to draw on a limited and small group of students was confirmed to the parliamentary research office by an Ontario government official who pointed out that it is mainly students from middle class backgrounds who are able to participate in the summer exchange programs. They are the only ones who can afford not to work in the summer.

Finally, figures from the Ontario government on the number of program participants indicate that it is a fairly small percentage of the total population who are able to take part in such programs. This limits the ability of such programs to influence overall attitudes towards the other language group.



The principal formal structure through which these programs have been encouraged and co-ordinated since 1969 has been the Ontario-Quebec Commission for Co-Operation. The creation of this body grew out of a recommendation by the Ontario Advisory Committee on Confederation at its meeting in April 1965. Already at that time the committee suggested that one way to increase mutual understanding and respect between francophones and anglophones would be through a program of exchanges.

As a result, the Ontario-Quebec Permanent Commission was established based on the firm belief "that increased co-operation between our two provinces is essential to the continued strength of the country."

In terms of programs, the 1969 agreement specified the following areas: language training, government administration, education and culture. As I described earlier, a good many activities were put in place in these fields; however, with the coming into power of the Parti québécois, interest in the commission waned. Since 1985, relations between the two provinces have changed dramatically. As a result, a new will exists within the two governments to revitalize exchanges and the Ontario-Quebec Commission for Co-Operation.

The first full meeting of all members of the revitalized commission took place last April in Quebec City. At that time, the mandate of the commission was renewed and priorities were established. I applaud and strongly support the renewed objectives of the commission which were phrased in this way: "To foster better understanding and co-operation between the people and governments of the two provinces." This objective is affirmed "as a part of the larger goal of ensuring that a relationship of good will, respect and trust is firmly maintained between Ontario and Quebec."

Especially in view of the limitations of the current exchange programs, I am very pleased to note that the commission has been asked to set new directions and to develop new co-operative ventures. Specifically, I wish to bring to the attention of this House that, as stated in its renewed mandate, the commission will sponsor exchange programs and activities which enable large numbers of people and groups to experience the other province's language and culture and to share expertise and undertake joint projects. The mandate makes a commitment that these programs and activities will be in a wide range of areas.

The description of existing programs and of the plans of the Ontario-Quebec Commission for Co-operation clearly shows that much good work is already being done, and I congratulate the premiers of both provinces as well as the senior bureaucrats involved in the renewal of the Ontario-Quebec commission. At the same time, the limits of the present efforts are also evident. For one, from the material provided to me it appears that the renewed commitment to exchange programs still is somewhat tenuous. I am hopeful that a strong motion from this House will provide the added political incentive to implement the renewed mandate of the Ontario-Quebec Commission for Co-operation with vigour and persistence.

At the same time, I feel there is room to expand this mandate even further or, more specifically, to expand the activities which flow from the committee's main objectives. One shortcoming that we must be especially careful about is the unintended upper-class focus of the present programs. Equally disturbing is the fact that so few members of ethnic minorities, especially visible minorities, benefit from the exchanges. I urge the ministries responsible for the current programs to make a special effort to include these groups in their allocations. I hope steps will be taken to increase the participation of all Ontario citizens, whatever their economic, ethnic or religious background.

Une nouvelle façon de promouvoir un intérêt et une participation plus répandus est la mise en place de fonds gouvernementaux qui encouragent les municipalités québécoises et ontariennes à signer des contrats de coopération et d'échanges. Plusieurs municipalités canadiennes ont déjà choisi des villes partout dans le monde comme partenaires et amies à long terme. Ma proposition d'aujourd'hui nous encourage à mettre cette expérience en application à l'intérieur de notre propre pays. N'est-ce pas le bon moment de profiter du fait heureux que, dans la province de Québec et ailleurs au pays, nous avons des communautés d'une culture autre que la civilisation anglaise?

My vision of municipal exchanges includes sports, recreation and cultural groups from one city making regular visits to the other. It includes exchanges at the political level, exchanges of business and professional groups and obviously among schools. All of these contacts should be aimed at relatively large numbers of people and encourage direct and ongoing contacts of individuals. One of the programs that has proven very popular in Europe is intercity games



involving the people of each town in fun-filled tests of physical and intellectual skills. I hasten to add that language has proven no barrier to the creative minds of interested citizens and municipal planners.

In concluding, as I see it, the twinning of cities and towns will overcome that major shortcoming of existing programs, which is their appeal to a relatively small group of often already committed individuals. The involvement of groups will ensure that large numbers of people from all walks of life can learn about each other's hopes and aspirations. In this way, we will usher in a new era of understanding and respect between anglophones and francophones in this country. In the interest of a better tomorrow, I invite all members of this House to support my motion.

**M. Allen:** Cela me fait plaisir de participer à ce débat à l'égard des échanges entre les anglophones et les francophones de notre pays et de discuter de la question du jumelage des municipalités ontariennes et québécoises.

On se souvient du fait que l'histoire de ces projets reste très troublée, que c'est une histoire fondée dans une sorte de double tragédie qui est à la base de notre pays. C'est la tragédie d'un peuple qui a perdu son pays dans une conquête sur le champ de bataille et, deuxièmement, la tragédie, pour les anglophones, du fait que leur triomphe était en bataille, en guerre. Donc, nous avons eu à la base de notre histoire, malheureusement, un esprit d'hostilité entre les anglophones et les francophones.

1120

Mais d'un autre point de vue, il y avait une tension, un conflit qui a généré beaucoup de richesse pour notre pays, richesse découlant des contacts variés, année après année, premièrement dans la région du Québec et, ensuite, partout dans le pays. Ce n'est pas une histoire de contacts sans problèmes vraiment, jusqu'ici. Aujourd'hui, on s'aperçoit, par exemple, qu'en Alberta, comme en Ontario, il y a des problèmes à l'égard de l'emploi de la langue française comme langue officielle de notre Législature.

J'apprécie beaucoup les recherches que le député de Nepean (M. Daigeler) a faites pour nous dans ce document. Il a présenté des programmes d'échanges qui existent maintenant entre les deux provinces, et c'est une base sur laquelle il est possible d'aller de l'avant, à l'avenir, avec des projets de jumelage, que j'appuie beaucoup.

Mais je pense qu'il est peut-être nécessaire de souligner l'importance des relations jour après jour, dans nos communautés, entre les franco-

phones et les anglophones, municipalité par municipalité, partout en Ontario: à Sudbury, à Hamilton, ici à Toronto, etc.

Vraiment, il est possible d'apprécier les autres cultures «at arm's length». Il y a une sorte de superficialité où on n'a pas de problème, jour après jour, comme on le constate, par exemple, à Sudbury ou à Hamilton. Ce sont les relations quotidiennes qui sont les plus importantes pour nous en Ontario, et si nous n'avions pas profité des occasions pour créer des organismes franco-phones ici en Ontario, ou si nous n'avions pas facilité des occasions pour l'épanouissement de la culture française en Ontario, pourquoi instaurions-nous des programmes d'échanges et de jumelage?

Donc, comme toujours, charité bien ordonnée commence par soi-même. Oui, mais c'est avec un tel programme, par lequel les anglophones participent à l'épanouissement de la culture française et facilitent la création d'organismes français, qu'il est possible de triompher de l'esprit de malveillance et d'avancer l'esprit de bonne volonté entre les francophones et les anglophones dans notre pays et aussi en général, comme une sorte d'épanouissement de cet esprit même parmi tous les groupes multiculturels en Ontario.

It is a very interesting experience, I think, to grow up as an anglophone in this country. I grew up in British Columbia, and one of the most interesting aspects of my education in British Columbia was the excitement that I had conveyed to me through my teachers of the history of the movement of French peoples into North America, and particularly into what became British North America and the terrain that we call our own country.

It is that experience which made me, as a person, a citizen who inherited more than, if you like, my own lineal descent as an anglophone would have provided me. I became a participant in the annals of Cartier and Champlain, in the stories of Montcalm, Dollard des Ormeaux and all the great heroes of the development and the establishment of French culture in British North America.

It has been possible for me, as an anglophone, to maintain that in my own family: as one of the first families in the city of Regina, when we lived in Saskatchewan, to participate in immersion programs; since then to have my own children involved in some of the exchange programs the member for Nepean (Mr. Daigeler) has outlined; and in fact to do a certain amount of twinning



ourselves, as we took up residence in a French community in Quebec.

We experienced at first hand the kind of personal growth that could come from getting to know everyone from journalists to professors to workers of all kinds who lived in the community around about us. We experienced that on an ongoing basis, shovelling snow in the midst of a snowstorm with our neighbours and having ongoing, day-by-day exchanges. It is an experience that I would not exchange for anything I have had in any other part of my life's experience, nor would my family, my children and my wife.

What the member has put before us as a proposal for the twinning of communities would, I hope, be more than just a matter of a program that provides for occasional, very brief exchanges, but could perhaps grow into a kind of exchange, a kind of twinning that is very regular, very ongoing and permeates the daily life of the communities in question in important ways so that it is never forgotten.

I think one of the great secrets of our country and of our country's strength is that we have the bicultural and bilingual foundation we have and that it is possible to generate out of that experience an even richer multilingual and multicultural experience and to place our country in the front ranks of those whose relations with all the world are enriched and placed on a positive basis, by virtue of our language capacity, to intimately perceive the problems of other peoples and to relate to them in matters of trade, as in commerce, our cultural and political international life in ways that are enriching to the whole world.

When one begins a program like this one the member suggests, the consequences can be far-reaching indeed. I think it is a very healthy and happy motion that we have before us, and I am happy to support it.

1130

**Mr. Villeneuve:** It is also a pleasure for me to rise and participate in the debate on notice of motion 14 by the member for Nepean, and I congratulate him on bringing it forth. I realize he had to have a very rapid change in motion due to events that occurred.

Speaking of communication, I certainly hope that he and many other Liberal back-benchers with a great concern for the rights of the unborn did have some input in some of the decisions that were taken rather quickly by the Minister of Health (Mrs. Caplan) in this province.

Communication is something that I believe we should all emphasize and emphasize more so now than ever before. As the member for Nepean mentioned in his opening statement, yes, eastern Ontario does have a perceived problem of communication between the French-speaking members of that area and the English-speaking members of that area.

As my honourable friend the member for Hamilton West (Mr. Allen) said, *il faut débiter chez soi, il faut communiquer chez soi*. Je suis d'accord: Il est bon de communiquer et nous avons besoin de communiquer, de jumeler avec notre province avoisinante. Par contre, la bonne communication débute chez nous, entre nos Ontariens d'expression française et nos Ontariens d'expression anglaise.

I believe communication is of primary importance, particularly to people involved in politics. There are times, I suppose, when members of the government in particular would rather dissociate themselves from decisions that have been made from time to time. That is understandable, as I have been privileged to sit on both sides of this Legislative Assembly.

However, there is communication all in English that totally breaks down between the committee room and the Legislative Assembly, for instance in regard to the report on Sunday shopping from a standing committee of the Legislature. The Solicitor General (Mrs. Smith) was a member of that committee and agreed wholeheartedly with the decision and the recommendations that were made. However, the same lady in this Legislature announced diametrically opposed anticipated legislation.

The member for Sudbury (Mr. Campbell), elected on September 10, as a member of the Association of Municipalities of Ontario participated in a resolution from AMO strongly encouraging the government of Ontario to not make the municipal option regarding Sunday openings one that would be in effect. Yet this government has chosen to go totally against what many back-bench members of that particular party believe in.

Similarly, we must communicate a great deal, and very soon, on the recent decision by the Supreme Court of Canada pertaining to the rights of women and the rights of the unborn. I think communication must be precipitated as quickly as possible.

Yesterday, for instance, in talking about Sunday liquor shopping, the Minister of Consumer and Commercial Relations (Mr. Wrye) said in this Legislature that the chairman of the

Liquor Control Board of Ontario, Mr. Ackroyd, should be asked and should be making the decision. However, after an admission by the Premier (Mr. Peterson), the honourable minister was briefed very quickly and the message that came out in the corridors was very different.

Again, communication is of primary importance, and this motion by the member for Nepean reflects that we need to communicate very much. We need to communicate interprovincially but we must begin at home and communicate between our French-speaking groups and our English-speaking groups in this province.

In that light, that is the reason I have requested that the implementation of Bill 8, which was supported unanimously by this Legislature, go to an all-party committee: so we can communicate and bring the message to those people in particular who are concerned that they will be negatively affected by the putting into place of Bill 8. These may be concerns that need not be there, but the communication has been lacking. I believe we, as politicians, certainly we in eastern Ontario—and the member for Nepean did touch on this in his initial presentation—have to communicate, and it has to begin at home.

**Mr. D. R. Cooke:** So where do you stand on Sunday shopping?

**The Acting Speaker:** Order.

**Mr. Villeneuve:** I glad the member brought up Sunday shopping. It is a matter of communication, and I was quoted very much out of context from a January—

**The Acting Speaker:** Order. I remind the honourable member that if you wish to speak, you must speak to the resolution that is before the House and please ignore the comments that have been put to you from across the floor.

**Mr. Villeneuve:** I appreciate that, Madam Speaker, but it all revolves around communication or the manipulation of communication. That can be a great problem and it can create situations that are not really what was intended. I am sorry if I deviated from the motion we are presently debating.

In summary—I have agreed with my friend, colleague and neighbour the member for Prescott and Russell (Mr. Poirier), who wants to have a few words to say—we must improve communication, particularly between our two official languages and groups within those two official language groups.

Just as a final comment: this morning, the Minister of Education (Mr. Ward) is in Penetanguishene making a statement pertaining to stu-

dents in École secondaire LeCaron. I understand from speaking to people in that community that they did not know the minister was to be there, other than having read in the paper yesterday that the Minister of Education was to make a statement in Penetanguishene today.

Again, communication, I believe, should have been improved and can be improved. I will support this motion and I hope we can improve communications internally as well as with our neighbouring provinces.

**Mrs. LeBourdais:** I am pleased to speak to this motion this morning, as it is one I wholeheartedly support. Being an anglophone by birth, born in a francophone province, now bearing my husband's francophone name, although he speaks not a word of French, gives me, I feel, a rather special understanding of a truly anglophone-francophone mix. It is one I want to encourage, not only in myself by taking advantage of the French studies program available to members of the Legislature, but also by encouraging my daughter, Lisa, in her ongoing studies of French.

I recently had the opportunity to bring greetings on behalf of the Premier at the inauguration of an organization of francophones of non-Canadian birth. I was surprised to see Haitians, Vietnamese, Belgians, Swiss, as well as others, all brought together in celebration of their francophone heritage, now all a part of the Ontario mosaic.

Later this month, along with a number of my colleagues from the Legislature, I will have the opportunity to be a part of an exchange program to Quebec City. During our stay, we will have the opportunity to meet with our Quebec counterparts and business leaders, while at the same time becoming familiar with the Quebec assembly. The visit will also expose us on a continual basis to the French language.

This program has come about under the auspices of the Ontario-Quebec Commission for Co-operation, an umbrella structure for a number of cultural and/or educational exchanges in governmental affairs.

Similarly, my daughter, Lisa, will next month have the opportunity to participate in the Forum for Young Canadians in Ottawa. This is a program open to interested high school students from across Canada to actively participate in a week-long curriculum designed to expose the students to the parliamentary system at the federal level. Anglophone students are given the opportunity to room with francophone students and expand their own French capabilities.



I know each of us will benefit enormously from these experiences, and we will be able to contribute more as a result.

Les Ontariens et les Québécois peuvent profiter des programmes d'échanges qui existent non seulement pour les étudiants, peu importe leurs âges, mais aussi pour les journalistes, les dirigeants, les fonctionnaires, les parlementaires et ceux qui travaillent dans le milieu culturel et artistique.

Dans le domaine des relations coopératives entre l'Ontario et le Québec, il y a trois accords qui sont sur le point d'être signés. Ceux-ci incluent: l'achat de sièges dans les institutions québécoises des hautes études; les accords environnementaux concernant l'élimination des déchets toxiques et la recherche et le développement coopératifs; et un accord visant à promouvoir conjointement le tourisme international. On pourrait aussi inaugurer des programmes coopératifs dans les domaines des logiciels informatiques et des entreprises économiques conjointes.

On a créé des programmes de jumelage au ministère de l'Éducation. Après que les classes sont jumelées, elles peuvent échanger des photographies, des dessins, des films, des enregistrements d'activités ou de musique dans la salle de classe, des vidéos d'événements culturels, etc. L'objectif du programme est de permettre aux jeunes de mieux se connaître mutuellement dans une atmosphère favorisant l'échange d'idées. Les buts sont d'encourager les jeunes à mieux comprendre la diversité culturelle et linguistique et à développer de la tolérance.

1140

The bonds of friendship created by ongoing interaction between anglophones and francophones can be enduring ones. This past weekend my family had the occasion to rekindle a friendship dating back over 40 years, a friendship that joined two families, each very reflective of the francophone and anglophone experience of the mid-1940s.

One family, rather typically Québécois, is a Roman Catholic family of 10 children headed by a father whose sole income was the milk route he travelled each day, complete with horse and buggy. The other family is a smaller Anglo-Saxon family with the father employed by an American multinational oil company. Despite the passage of time, distance and changing lifestyles, the friendship has endured and strengthened to the enrichment and betterment of all.

It is this kind of bonding between people that the government of Ontario must continue to encourage. The continuation of twinning pro-

grams, particularly at the municipal level, the grass-roots level, if you will, will work to develop such bonds and ultimately erode any of the ill feelings between anglophone and francophone communities. As legislators, we must work to further develop and encourage any steps that will facilitate the process.

Like my colleague the member for Nepean, I too came across individuals during the past election campaign who expressed their open hostility towards the francophone community. This arose from the government's support of the extension of French-language services to communities throughout Ontario. It was my personal experience that these individuals were failing to realize the duality of this country and the right of both groups to avail themselves of necessary service in either of Canada's two official languages. Obviously, my name became a red flag.

The remnants of early exchanges are long lasting. For instance, if one travels to the interior of British Columbia one will find a LeBourdais Park, a LeBourdais Street, and even some native Canadians who bear the name LeBourdais, because earlier in our times there was a legislator in British Columbia by the name of LeBourdais and the Inuit people have simply taken their name from a prominent Canadian of the time, which was a fairly commonplace occurrence.

I encourage this government to continue to create and develop ongoing programs that will further the spirit of goodwill and understanding that can, in the long run, only help to enrich citizens of both provinces.

**Mlle Martel:** Au début, je voudrais faire des félicitations au député de Nepean. Je sais bien qu'il a fait du travail à propos de l'amélioration des relations entre les francophones et les anglophones en Ontario et au Canada. J'espère qu'à la fin de ce débat, et avec les idées qu'il a présentées dans ce document, le gouvernement de l'Ontario aura des idées pour établir d'autres échanges, de nouveaux échanges, et puis pour renouveler et peut-être améliorer les échanges qui existent maintenant.

I want to tell the member for Nepean that we will be supporting his resolution and we will be proud to do so. As a participant in one of the exchanges he has outlined in this program, I spent a very wonderful summer several years ago with a girl from Quebec. We spent two weeks there and two weeks in my own home town. It was certainly a well worthwhile experience that I would encourage for all young people and, indeed, for all Ontarians.



I must say that the advantages and the benefits gained from that were numerous. I had a complete exposure to the second language in her home, since neither of her parents could speak any English at all. I was forced to use the second language, which is exactly what I needed.

I certainly gained a better appreciation of the French culture and of the French heritage, which I did not have living in Ontario, even though I had studied French during elementary school. It was certainly an added benefit to actually live in that community, live in that home, experience and be a part of that. I would encourage that for anyone who has the time and, indeed, in that case, the money to do it.

We agree with the resolution the member has presented and, certainly, this government should look towards establishing further twinning experiences between Ontario and Quebec municipalities. However, having said that, there are three points that I would like to raise concerning this whole question.

The first is that he has outlined, and most members have read about, the large number of programs that are in place, both on a provincial and a federal level, and indeed presented by private organizations. He has outlined—and so I will not go over that again—those programs that work well, that have a large number of participants and where the reaction back to the administrators of the program has been very positive.

We also have, on the other hand, a number of programs that are not working well, in particular, the exchange of principals where only two principals actually utilized the program that was in place. There was a second concerning the civil servant exchange program, which I hope in the future will proceed a little bit better but which up to this point has not been working very effectively.

What I would like to say to him—and that is the same, both on a provincial and federal level, with the programs in both—is that I hope we do, in fact, look at the programs which are in place and see how we can improve upon those. For instance, for those that are not working well—and there are a number that are not—having a review of what is going wrong, what is needed; are we not expanding the program to enough people, and how can we then present it to a larger group of individuals and indeed try to change some of the programs which do not have a positive impact at this time, and reach large numbers who are not using the program that is already in place.

Second, for those programs that are in place and are working well, I would encourage the government, both provincially and federally, to continue with those programs and to again review how they can be made even more effective. There are two in particular, I recall, where the budget has been doubled for 1988, and the government is expecting a much larger number of participants to apply and try to partake of that. I hope that in the process of the government's setting up new programs, it can go back and look at the ones that are in place to see how they can be improved upon and how those ones that are working well can be further expanded.

On the second point I would like to make, I go back to the member for Hamilton West of my own party, who stated that what we also have to look at is improving our relations here at home. It seems to me that it is a wonderful idea to travel to Quebec, and certainly if I can on someone else's money I do appreciate that. In fact, I will be going with a government group, so I am quite pleased about that. But I do think we can establish those types of programs here in Ontario and that we can, in fact, look at municipalities which exist in Ontario where we can provide a twinning now.

In particular, in northern Ontario, in the eastern part of Ontario and in and about the Ottawa region we do have the facility and the items in place to establish those types of programs before we go outside of the province. I must say that in many of the municipalities we have everything in place that would make those exchanges very effective and very enjoyable. We have the municipalities working in the second language, which is French, and they use that in all the administration and in their educational facilities.

We also have the establishment of many cultural institutions. I look at my own community, for example, where there are a number of events and festivities that Franco-Ontarians present, which all the people in Sudbury can partake of and participate in. I must say that I think what also exists in Ontario, although it will have to be fostered further, is a spirit for that type of co-operation. I think if we look into our own province and see how we can go about establishing those types of programs, we would certainly be as well off as we would be travelling to Quebec for those types of exchanges.

I think it is awfully important—I go back to my experience during the election as well—that we look at home first and start to broaden our ties and



make those ties better. That might entail at least providing that type of service or organization in Ontario, that under the minister responsible for francophone affairs (Mr. Grandmaître) we develop an umbrella organization made up of anglophones and francophones who can go out and start to review the programs that are in place and work with municipalities in the province to try to establish that twinning so that we have input from both communities. I think both communities would probably be better off working with each other and setting up the programs that people in Ontario will benefit better from, or better than we do at present.

So I hope that when we look at exchanges between provinces, we also seriously consider now exchanges of people within our own province. I think it is very important and necessary that we as legislators start to move towards bettering the relationships between francophones and anglophones in Ontario.

I want to bring up several concerns I had with the projects that we might look at and hope that the government, if it is going to proceed in this manner, will consider several things. The member for Nepean mentioned that the present programs in place were very much limited to a certain segment of society. In effect, we have had a great deal of students, teachers, administrators, educational institutions and perhaps public servants who utilize the programs that are in place. Certainly, there is a much broader section of society that we have to start to appeal to to use these types of programs if we are going to make them of benefit to all Ontarians.

The second problem seemed to be that the programs were geared very much to a certain segment in society. It was mainly middle-class students or young people who were able to benefit. We have to look at programs where we can entice or enhance participation by visible and nonvisible minorities and by kids whose backgrounds are of a father who is not in the professions or who is not in a high-level administration setting. We have to start appealing to a broader group so that relations among more Ontarians can be enhanced.

**1150**

I certainly think the programs are good, but we need a great deal more work to be done in order to appeal to a much broader cross-section of society. I say to the member, because I know he will probably want to wrap up and my other friend wants to speak, that we will support this resolution, but I hope the government will take

into consideration some of the concerns I have outlined.

**M. Poirier:** Je voudrais féliciter mon collègue le député de Nepean justement parce que je l'appuie fortement dans la présentation de sa résolution.

Par contre, je dois reconnaître qu'à titre de Franco-Ontarien, je me sens un peu délaissé par les mots, tels qu'on les retrouve dans le nom de ma circonscription, lequel est écrit uniquement en anglais, bien sûr. Étant le député de la circonscription la plus francophone de l'Ontario, et vu le problème de communication que nous avons toujours entre les Anglo-Ontariens et les Franco-Ontariens, j'appuie les énoncés de mes collègues des autres partis, qui mentionnent également qu'il faut commencer à établir une bonne communication chez nous d'abord, en Ontario.

Au moment où on se parle, il y a des individus et il y a des groupes à l'échelle de l'Ontario, mais surtout dans l'Est de l'Ontario—ironiquement, dans une zone très bilingue—qui travaillent à faire la mésentente, à empêcher que les anglophones et les francophones puissent mieux se connaître. Et ça, je trouve ça fort regrettable.

La Loi sur les langues officielles du Canada a été adoptée il y a déjà 19 ans. En 1986, le gouvernement de l'Ontario, avec l'appui de tout le monde, a adopté la Loi 8 sur les services en français. Nous sommes maintenant 1988, et je peux vous assurer, Madame la Présidente, qu'il y a encore beaucoup de chemin à faire pour que les anglophones et les francophones de ce pays et de cette province puissent mieux se connaître. Je félicite les gens qui ont pris l'initiative de participer à des échanges, de s'assurer que leurs enfants pourront aller dans les écoles françaises, dans les écoles mixtes ou dans les écoles d'immersion. Mais il reste beaucoup à faire.

I would like to say I humbly feel that we, as Canadians, still have a lot to learn about our own history. As Ontarians, we have a lot to learn about our history. I think Ontarians would be very surprised to find out the role the Franco-Ontarians have played in this province. I would like my English-speaking colleagues to twin their communities with some of my communities in my riding or else rather in French-speaking Ontario.

The village where I come from, Alfred, is 96 per cent French-speaking. If you want to live in a francophone environment, come to Alfred. Come to Saint-Isidore-de-Prescott, which is 97 per cent French. Come to Dubreuilville. Come to Hearst. Come to Saint-Eugene, Sainte-Rose-de-

Prescott, Cheney, Limoges, L'Orignal, where Champlain stopped in 1608 on his way up to the Ottawa River. How many Ontarians know that Toronto is sitting on the site of Fort-Rouillé from the French regime days? We, as a government caucus, sit in room 247 below this huge painting that depicts Fort-Rouillé.

How many Ontarians know that Windsor is on the site of l'Assomption from the French regime? How many Ontarians know that there were two seigneuries in Ontario: la seigneurie de Longueuil and la seigneurie de Frontenac and Kingston? How many Ontarians know that there are over half a million franco-Ontarians waiting to make better the communication between our English-speaking friends and neighbours and French-speaking friends and neighbours?

Some unilingual English Ontarians came into my office and said, "M. Poirier, I know you need bilingual staff, but if you send me for a year to Paris, all expenses paid, I promise I will come back bilingual." One does not have to go to Paris. One can come to Alfred. In my riding, I have six name places that are taken right from France. Take your pick: Bourget, Orleans, Embrun, Vars, Cheney and Limoges.

Come to Prescott and Russell, go to the other areas of French-speaking Ontario, but I implore the members, let us start to better the communications between anglophone Ontarians and francophone Ontarians, and then we will go elsewhere to learn even more about our fellow Canadians: Québécois, Franco-Ténois from the Northwest Territories, Franco-Yukonnais from the Yukon, Fransaskois from Saskatchewan, Franco-Colombiens, Acadiens. Let us know each other better as Canadians first. I think that is very important. I congratulate my colleague and I bring this small amendment.

**Mr. Daigeler:** I wish very briefly to conclude. I think some very excellent points have been made by the members who have shared their personal experiences and their personal very moving hopes and aspirations for a better relationship between francophones and anglophones in this country. I am certainly very supportive of the idea to start right here at home. I am sure that as we pass on the documentation from Hansard to the appropriate officials and ministers, they will take note of this point.

I am very pleased and very encouraged that we have such strong support for a renewed relationship between these two groups as expressed in this House. I wish to thank all of those who have spoken and I ask that all of us work together in a nonpartisan fashion to improve the relationship

so that we can look forward and be an example, I would say, to the world of different cultures, different languages and different people working together, being enriched by each other, and in this way to live in peace, in harmony, acceptance, respect and tolerance.

Thank you very much, Mr. Speaker. I encourage all members to support unanimously my resolution.

#### MUNICIPAL COUNCIL RETIREMENT ALLOWANCES ACT

**Mr. Speaker:** It is so close to 12 o'clock that we will deal first with ballot item 9.

If any members are opposed to a vote on this motion, will they please rise. Seeing none, the question before the House is that Mr. Cureatz has moved second reading of Bill 75.

Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

**Mr. Speaker:** We will now deal with ballot item 10. Mr. Daigeler has moved resolution 14.

**Mr. Neumann:** Mr. Speaker, a point of order.

**Mr. Speaker:** On what matter?

**Mr. Neumann:** On the vote on ballot item 9.

**Mr. Speaker:** It has been completed and carried.

The next item will be ballot item 10. If any members wish to—

**Mr. Fleet:** Mr. Speaker, a point of order.

**Mr. Speaker:** Point of order.

**Mr. Fleet:** On a point of order, Mr. Speaker: I believe members of this House did not appreciate a vote was taking place to some extent. Certainly, I did not hear a call completely from where I was sitting. My impression was there was an attempt to raise a point of order a moment ago on the same issue. Clearly, what is desired in this place is that a vote represent the will of the people who are here.

**Mr. Speaker:** I appreciate that. However, I do distinctly remember stating, "Is it the pleasure of the House that the motion carry?" As usual, as calmly and as quietly as possible, I let my eyes move around the chambers. I saw no members rising and I heard no objections. Therefore, I recognized that the motion had been passed. It has already had second reading. I hope the members are agreeable to that procedure because that is set out in our standing orders.

**Mr. J. B. Nixon:** On a point of order, Mr. Speaker: It may be just the acoustics of the hall. I did hear at this end a "nay," which may have been



inaudible at that end of the hall. I think I have some concurrence from the members here and would ask that you reconsider.

**Mr. Speaker:** I certainly can. I listened very carefully and you said you thought you heard some. I listened very carefully and did not hear any. Therefore, I feel the matter has been dealt with fairly and according to our standing orders.

#### CULTURAL EXCHANGES

**Mr. Speaker:** We will now deal with ballot item 10. If any members are opposed to a vote on this resolution, will they please rise. Seeing none, Mr. Daigeler has moved resolution 14.

Is it the pleasure of the House that the motion carry?

Motion agreed to.

The House recessed at 12:03 a.m.

## AFTERNOON SITTING

The House resumed at 1:30 p.m.

## ELECTION FINANCES

**Mr. Speaker:** I beg to inform the House that I have today laid upon the table recommendations from the Commission on Election Finances, pursuant to subsection 4(3) of the Election Finances Act, 1986, and those reports will be in the members' mailboxes.

## MEMBERS' STATEMENTS

## 1988 OLYMPIC WINTER GAMES

**Mr. McLean:** The eyes of the world will be focused on Calgary, Alberta, beginning on Saturday, as amateur athletes from approximately 56 nations gather to compete in the 15th Olympic Winter Games. On behalf of my party, I would like to extend a hearty welcome to those young athletes and congratulate them on the stunning performances we no doubt will witness in the many individual and team efforts scheduled during the first winter games to be held in Canada.

Our congratulations will be extended to all of the participants, win or lose, because they have already proven their abilities by making their countries' Olympic teams. Win or lose, they are all champions and are splendid examples of athletes who have demonstrated world-class excellence in their sport and conduct consistent with the ideas of amateur Olympic sport.

I would also like to wish Toronto's Tony Reis good luck as he leads his team of Portuguese-Canadian bobsledders as they represent the country of Portugal.

I extend best wishes to the world men's figure-skating champion, Brian Orser, in his quest to capture a gold medal. I know Brian is the world's best and I am confident that he will have more success than his dad, Butch Orser, who tried unsuccessfully to skate his way into the riding of Simcoe East for the Liberals during last September's provincial election.

## HOSPITAL BEDS

**Mr. Furlong:** I have today, on behalf of the board of directors of Whitby General Hospital, delivered to the Minister of Health (Mrs. Caplan) a package containing a petition that reads as follows: "We, the undersigned, petition the Honourable Elinor Caplan, Minister of Health, to implement a major acute care expansion

program to meet the space needs of this community as one of the fastest-growing communities in Ontario." This petition contains 12,866 signatures.

In addition, I have submitted 427 individual signed cards expressing the view that Whitby General Hospital urgently needs to expand and incorporate additional active treatment beds. Also in the package were 48 signed newspaper clippings and 42 cards signed by emergency care patients.

When the hospital first opened in the late 1960s, the town of Whitby had a population of 15,000. Today that figure has risen to 51,885, and the region of Durham forecasts a population for Whitby of almost 90,000 by the year 2011.

Construction on Whitby General Hospital started in 1968 with an acute care bed allocation of 65 beds. Today, 20 years later, the number of active beds remains the same.

The board of directors of Whitby General Hospital, supported by resolutions from both the region of Durham and the corporation of the town of Whitby, strongly implores the minister to consider the acute care bed allocation to Whitby General Hospital.

## MUNICIPAL ROADS

**Mr. Farnan:** I would like to bring to the attention of this House the way the provincial government has put the brakes on road subsidies to Ontario municipalities. Although the province is supposed to provide 50 per cent of the funding for building and maintaining roads, the city of Cambridge has been forced to find an additional \$650,000 this year to make up for a provincial shortfall. Historically, Cambridge has had to contribute more than its 50 per cent share towards road maintenance. Over the past four years, government subsidies have increased by only a total of 6.59 per cent, hardly what I would call keeping up with inflation.

The provincial government should stop siphoning much-needed tax dollars out of its own allocation budget. The gas tax, which was designed to pay for necessary road repairs, is no longer used solely for that purpose. Municipalities are shouldering more and more of the responsibility for roads, but have no vehicle for collecting the necessary revenue.

In 1986, \$1.77 billion was collected by the provincial government through taxes related to motoring, but only \$644 million of that was spent



on roads. The money being spent today is one third of what it was 10 years ago. Allocations must be increased to at least match the present inflation rate so that cities like Cambridge can maintain the status of their roads. Otherwise, we will end up with winding dirt tracks fraught with pot-holes.

### TAXES

**Mr. Harris:** This mini-session has lasted four days. In that time, we have learned the government of Ontario is not responsible for Sunday shopping and not responsible for protecting the rights of unborn children. Yesterday, the response of the Treasurer (Mr. R. F. Nixon) to the federal budget showed us that the government of Ontario is not even responsible for its own budget. The Treasurer wants to increase taxes to continue his spending spree and say to the people of Ontario, "The devil and Mike Wilson made me do it."

The fact that the rate of growth in federal transfer payments will decline is not news. Every provincial Treasurer has been aware of that policy for several years. The blame for any tax increases lies entirely with the government of Ontario and its free-spending ways. Reduced federal transfers have been more than offset by increased provincial revenues, which have jumped by over \$9 billion.

Given the strong performance of the Ontario economy and the consequent growth in government revenues, no tax increases would be required had this government demonstrated even the slightest commitment to expenditure controls. The responsibility for any tax increases will lie solely with this Liberal government right here in Ontario, its free-spending policies and its lack of any spending controls on the budgetary policies it has brought in.

### TIMBERJACK INC.

**Mr. Tatham:** I want to share some good news with members about a manufacturing firm I have watched grow for the past 40 years: Timberjack, in Woodstock, Oxford county. Their employment is up over 25 per cent in the past two years, to 463 people. Sales in 1987 were over \$145 million. But listen to this: productivity per employee has risen 39 per cent in the past two years. Timberjack designs, builds and sells logging equipment around the world. They have shipped over 30,000 vehicles to 78 countries and 60 per cent of their sales are exports.

What is their secret to success? Their success depends on every employee and every depart-

ment serving Timberjack's customers better than they are served by the competition. They have spent, and will continue to spend, heavily on research to make better products for their customers. Their employees all share in the financial results of the company through profit-sharing.

One last thing: When you look at the serial plate on the Timberjack skidder you will see something unusual: the names of the people who assembled it. That is pride, that is Timberjack and that is Oxford county.

### TORONTO ISLANDS

**Mr. Reville:** This government continues to fail the Toronto Islanders. True, it was the previous government that brought in Bill 191, ostensibly to save the island homes. It is also true that over six years later, the island community continues to lack the rights of every other community in this province. The unworkability of Bill 191 means that islanders cannot get building permits to fix up their homes and cannot get insurance on their homes.

The Premier (Mr. Peterson) said he would rectify this ridiculous situation in 1985; nothing happened. He reiterated that commitment again last year; nothing happened.

Provincial legislation created this mess. Provincial legislation is required to sort it out. The houses are running down and the bills are running up. The island community needs the help of this government to survive. The government knows there is support on all sides of the House for the island community. At the very least, the government owes the community some answers. What does the government intend to do, and when does it intend to do it?

### SPEAKING ENGAGEMENT

**Mr. Sterling:** In the absence of the Minister of Industry, Trade and Technology (Mr. Kwinter), who is currently involved in trade missions overseas, I would like to inform his ministry that, unfortunately, I continue to be unavailable to do his speaking engagements.

For the benefit of those members who are unaware, I shall offer a bit of the background on this situation. Just prior to the departure of the minister on a trade junket—sorry, mission—I received a call from his office inquiring as to my availability to do a speaking engagement. The telephone scenario goes something like this:

"Mr. Sterling?" said the aide. "Yes," I replied. "We are hoping you could do a speaking engagement in North Bay in a couple of days,"

said the aide. "Is this to participate in a panel discussion?" I asked. "No, to speak on behalf of the minister." I asked, "What is it all about?" "Oh, the normal stuff about the north." "Can I make changes to the speech?" I asked. "Some," replied the aide. "Well, I do not think the government has done anything for the north," I replied.

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**Mr. Speaker:** The member's time has expired.

**Mr. Sterling:** "So let me get this straight. You want me to do a speech"—

Interjections.

**Mr. Speaker:** Order. That completes the allotted time for members' statements.

**Mr. Sterling:** On a point of order, Mr. Speaker.

**Mr. Speaker:** Order. I am listening very carefully to this point of order.

**Mr. Sterling:** Could I ask for unanimous consent just to finish this?

**Mr. Speaker:** The members have heard the request. Is it yes or is it no? No? I did not hear complete agreement.

**Mr. Ruprecht:** Mr. Speaker, I ask for consent to make some remarks on Lithuanian and Estonian independence days.

**Mr. Speaker:** Is there unanimous consent?  
Agreed to.

#### LITHUANIAN AND ESTONIAN INDEPENDENCE DAYS

**Mr. Ruprecht:** February 16 and February 24 are important dates in the history of freedom-loving peoples everywhere, and they have special significance for citizens of Lithuanian and Estonian heritage, respectively.

On these dates, our friends commemorate the 70th anniversary of the 1918 proclamation of Lithuania and Estonia as sovereign democratic nations. We who live in a democratic society do not always appreciate our good fortune. We take for granted our freedom of speech, of press, of religion, of travel, and even the right to openly criticize our own government. The courageous determination of the Lithuanian and Estonian peoples to regain this kind of freedom is a source of inspiration to all of us. Indeed, because these peoples have tasted freedom, neither the weapons of starvation nor prison walls could extinguish the torch of freedom and hope that has been resolutely expressed and passed on from one heroic generation to the next.

Those who came to Canada from Lithuania and Estonia have made important contributions to the development of our province and country and to the enrichment of our culture.

Today we have reason to admire the unbreakable spirit of optimism and hope of our friends that, in spite of past tragic events, they maintain their ideal of democracy and independence and their dream that Lithuania and Estonia will one day determine their own future and one day determine their own destiny.

It is with great pleasure that we extend our heartiest congratulations and best wishes to our friends as they commemorate Lithuanian and Estonian independence days. Thank you.

**Miss Martel:** As the opposition critic for the Ministry of Culture and Communications, I am pleased to add my party's remarks on the anniversary of Lithuanian and Estonian independence. Throughout the next week, Ontarians of Lithuanian and Estonian origin are marking the 70th anniversary of the proclamations of independence of their respective homelands. This independence lasted a brief two decades, but the symbols of freedom and nationalism which they mark are being celebrated in festivities in Toronto, across Ontario and, indeed, around the world.

There are important cultural and spiritual celebrations for the Lithuanian- and Estonian-Canadian community. It is to the benefit of all Ontarians that the distinct culture and tradition of our citizens of Lithuania and Estonia have remained so strong and so rich. Lithuania and Estonia are rich in history and resources, and their people are to be admired for their strength of will and nationalistic spirit. Even after 70 years, the quest for national freedom and independence remains a goal in the life of Lithuanians at home and abroad.

We hope that the 70th anniversary celebrations of Lithuanian and Estonian independence will be allowed to take place peacefully in the homelands and will not be marred by attempts by authorities to stop them. We join in commemorating the historic occasion here in Ontario.

**Mr. Sterling:** On behalf of my party, I would like to express our remembrance of this very, very important day. Estonians and Lithuanians are very passionate and determined people. They suffered much in this century in their homeland and many found their way to our country and to a new way of life. Unfortunately, that homeland no longer exists, and, for those who remain behind, theirs is a life of strife and conflict which



is a result of Soviet occupation some 48 years ago.

We in Canada have difficulty imagining a life without freedom of expression, religion or assembly. Canadians speak out against their judiciary, their political system and any aspect of their lives in which they feel they have been infringed upon. They do so free from the threat of persecution. Such actions in Estonia or Lithuania are met with violence and arrest. Dissidents are imprisoned for their political beliefs or for any fight for human rights. Demonstrations, particularly those in recognition of their independence days, will be greeted by the militia in Estonia and, perhaps, imposition of martial law in Lithuania.

Perhaps glasnost, the openness of the Soviet government, has not yet reached the southeast coast of the Baltic Sea, but for those who remain, both in their native countries and here in Canada, the traditions of their heritage continue. Their fight for independence continues and is as indomitable as their spirit.

This is the 70th anniversary of Independence Day and for 10,000 members of the Lithuanian community in Toronto, this upcoming weekend will serve as a reminder of their heritage for the rest of us. There will be celebrations and demonstrations as well as a flag-raising at Mississauga city hall on February 14 to commemorate this event.

The Estonian community, 12,000 strong, will also be celebrating the following weekend with the Estonian flag to be raised at city hall on February 24. The Estonian and Lithuanian communities have contributed greatly to this city's growth and development and have maintained a strong sense of their former identity. I know that all members of this House wish for an end to the oppression of these peoples in their homeland and extend our hope that they may one day enjoy the freedoms which we take for granted.

## STATEMENTS BY THE MINISTRY

### 1996 OLYMPIC SUMMER GAMES

**Hon. Mr. O'Neil:** Before I begin my statement, like the member for Simcoe East (Mr. McLean), I would like to extend the best wishes of this government and the province of Ontario to all those athletes who are competing in the 1988 Olympics in Calgary. We hope they are successful and bring back many medals to the province.

I would like to make a statement concerning the 1996 Olympic Summer Games. When Ben Johnson carried the Olympic torch into Nathan

Phillips Square on his way to Calgary, many of us in Ontario shared the same thought. We were thinking that the Olympic flame will return to this province because Toronto will win the bid to host the 1996 Olympic Summer Games.

Making that happen will take support, both moral and financial, from both private and public sources. The government of Canada and the corporate sector have shown their support.

Mr. Speaker, let me bring you and the honourable members up to date about what has happened here in Ontario. Last February, cabinet approved in principle the city of Toronto's proposal. Since then, an interministerial committee led by my ministry has been formed to co-ordinate this government's initiatives and support to the Toronto Ontario Olympic Council, better known as TOOC.

The committee has already met with representatives of TOOC, the federal government and the representatives of the city of Toronto and Metropolitan Toronto to establish the responsibility for the many aspects of the bid preparation and the actual hosting of the games. The committee will continue to ensure that the best possible bid will be put forward for the consideration of the International Olympic Committee in 1990.

### 1350

The Premier (Mr. Peterson) helped enhance the committee's international profile when he led a provincial delegation in Switzerland last fall to meet with the International Olympic Committee. His presence within Olympic diplomatic circles was most effective and his message was clear. Toronto is a city of international stature and it is more than capable of hosting the games.

Today I am pleased to announce that my ministry will provide \$3.1 million over four years to the Toronto Ontario Olympic Council to support bringing the 1996 Summer Games to Ontario. These funds will go towards the technical aspects of the bid. Additional services will also be provided where feasible.

The funds we are announcing today are an investment. Already the city and the province are receiving international exposure through this bid.

Further, the legacy of hosting the games is long-lasting and far-reaching. A Toronto-centred games could inject up to \$1 billion directly into the Ontario economy and create more than 30,000 person-years of employment.

New and improved facilities would benefit amateur athletes and the general public for years to come.

Many other southern Ontario municipalities would share in the long-term economic benefits of the games.

Visitors from Canada, the United States and beyond would stretch the region's hospitality and retail services to capacity. Clearly, the economic impact province-wide would be substantial.

There is much more than a dollar value to hosting the games. I am speaking of the pride and enjoyment the games would bring to all Ontarians.

The games can also generate a tourism impact like no other event, putting Ontario in the spotlight of world attention, where we belong.

Hosting the games can bring great social and economic benefits to our province. Quite simply, there is no better place than Ontario for the 1996 Olympic Games.

I would like to acknowledge the presence today in the members' gallery of the man who is the driving force behind the Toronto bid to host the games, TOOC chairman Paul Henderson.

#### EDUCATION FUNDING

**Hon. Mr. Ward:** Members will know that the expenditures of school boards are currently financed by a grant contribution from the province coupled with a local contribution or apportionment from the municipality or municipalities supporting the board.

When more than one municipality must contribute a share of education taxes requisitioned by a school board, the amount paid for education purposes can differ considerably from municipality to municipality. The Ministry of Education therefore requires that a formula be used to make apportionment between municipalities more equitable.

The equalization factors used by the Ministry of Education to calculate apportionment and provincial grants do not reflect fairly the economic change that has occurred since 1970.

This situation has been borne out in recent appeals by the city of Nepean and the township of Goulbourn to the Ontario Municipal Board of the Carleton Board of Education's apportionment for the years 1984 to 1987. The Ontario Municipal Board has indicated its reluctance to hear these appeals.

I am pleased to announce today that a negotiated settlement has been reached with the municipalities involved. It will provide a total of \$4.575 million, which will be divided among the Carleton Board of Education, the city of Nepean and the townships of Goulbourn and Cumberland.

I am also pleased to announce that the 1988 grant regulations will include the updating of the equalization factors for the calculation of both a municipality's share of the school board's requisition and provincial grants.

These changes will be phased in and details will be provided with the publication of the general legislative grant regulations. This will resolve the issue of unequal distribution of the school board requirement and place municipalities throughout this province on an equal basis at the end of the phase-in period.

Later today I will also be introducing legislation that will modify the appeal process available to municipalities. Appeals will be directed to arbitration by municipal treasurers only on questions of error or omission in the assessment data or in its calculation, and where the provisions of the regulation under the Education Act have not been applied. These changes will be effective for the 1988 tax year.

#### COMMISSIONER THOMAS B. O'GRADY

**Hon. Mrs. Smith:** I wish to inform the House of a very significant appointment for Ontario's law enforcement community, and I would like all members to join me in congratulating Thomas B. O'Grady, the new commissioner of the Ontario Provincial Police.

Commissioner O'Grady has been with the force for 26 years. I am convinced he will provide the force with the type of leadership that has earned the OPP a reputation for excellent law enforcement and superior public service. In fact, it is probably fair to say Commissioner O'Grady is one of the officers who have helped to build that OPP tradition.

During his years with the force, he has held managerial responsibility for a wide variety of policing tasks and the force has been the better for his efforts. In 1986 and 1987, he headed the force's investigation support division; from 1984 to 1986, he was director of the criminal investigation branch; and from 1979 to 1984, he served as detective inspector in that same area. Prior to that, he served as a noncommissioned officer at various OPP locations around the province. During those years, he has demonstrated the ability to develop new ideas and motivate others to help carry them out.

I believe this combination of experience and innovation will allow Commissioner O'Grady to provide the progressive leadership the OPP needs in today's changing Ontario. Both the Premier and I feel Tom O'Grady will be an able successor to Archie Ferguson, a man who made a superb



contribution to public safety in Ontario. His appointment will take effect Monday morning. I wish Tom, his wife and family every success.

#### PUBLIC SECTOR PENSION PLANS

**Hon. R. F. Nixon:** Today, I have tabled reports on public sector pension issues: the report of the Rowan Task Force on the Investment of Public Sector Pension Funds and the Coward report on the Financing of Benefits under the Superannuation Adjustment Benefits Act.

Members will recall that in September 1986, Malcolm Rowan was asked to head a task force that would review investment practices relating to Ontario's public sector pension funds. That same year, I also asked Laurence Coward to report on financing issues regarding indexed pension benefits for Ontario's public servants and teachers. Both reports address the detailed aspects of investing and financing both pension and pension indexation funds.

I would also like to point out at this time that the Rowan report deals with a number of public sector pension policy issues other than those related to the financing and investment policies of the pension plans for teachers and public servants.

Rowan makes detailed recommendations on issues relating to the Ontario municipal employees retirement system, the Ontario Hydro pension plan, the hospitals of Ontario pension plan and the Workers' Compensation Board pension plan.

My colleague the Chairman of Management Board (Mr. Elston) has asked the Public Sector Pensions Advisory Board to consider these issues. As well, the board will review Rowan's general recommendations on the role of plan members in administration and investment policy and the use of pension funds to enhance economic development in Ontario.

In reviewing the financial status of the superannuation adjustment funds for teachers and public servants, Rowan and Coward were dealing with a serious financing deficiency which has existed for some time. In fact, when the funds were first established in 1975, a regular review of the funding arrangements was to have been undertaken.

The deficiencies in financing we are facing today are the result of two key decisions made more than a decade ago. First, it was decided to fund indexation payments on a pay-as-you-go basis. Put simply, this means that contribution rates are set at a level sufficient to pay for the pension benefits of plan members as they retire.

Problems arise when the number of retirees increases relative to the number of current contributors, a situation in which we find ourselves today.

The second decision was to extend indexation retroactively without any corresponding funding to those who had been contributing to the plans prior to 1976, as well as those who had retired previous to that date.

#### 1400

The Rowan and Coward reports conclude that the cost of financing indexed pensions for teachers and public servants is being passed on unfairly to future generations of taxpayers and plan members.

In response to the current status of the plans, both reports recommend that the basic pension and indexation funds be merged and funding arrangements changed. Both reports also recommend that the basic pension and indexation funds be transferred gradually into market investments.

To make the best possible decision on the financial, investment and policy issues these reports raise, we will seek the response and input of all affected and interested parties: teachers, public servants, the pension community, academics and the general public.

To allow for this input, I have asked Dr. David Slater, a former chairman of the Economic Council of Canada, to invite written submissions and meet, as necessary, with interested groups. Dr. Slater will synthesize the findings and recommendations of both the Rowan and Coward reports, as well as the opinions he receives from the involved and interested parties.

I have asked Dr. Slater to report his findings to the Chairman of the Management Board of Cabinet, the Minister of Education (Mr. Ward) and myself by July 31 of this year. These findings will be discussed with the directly affected parties and their responses will be requested prior to any announcement of the government's policy and the introduction of appropriate legislation.

There can be no doubt that the financial problems of the adjustment funds are serious indeed. In commissioning these reports, the government's aim was to get a realistic assessment of the plans' financial status and options open to us to ensure that pensions for our public service and teachers are securely funded.

However, I want the Legislature and all the involved parties to know that the government is also keenly aware of the very personal and human aspects of the pension issue.

I want to ensure Ontario's teachers and public servants that any legislative changes that result



from the review of their pension plans will not affect pensions or adjustment benefits for which credit has accumulated, nor will any future legislative changes affect the pension or adjustment benefits that are being paid currently to retired plan members. Retirees will continue to be paid in accordance with the formula in the legislation that now governs their pension and adjustment benefits.

## RESPONSES

### COMMISSIONER THOMAS B. O'GRADY

**Mr. B. Rae:** First, let me congratulate the new chairman of the Ontario Provincial Police and say how much members of my party and I are looking forward to meeting with him and working with him. I say "meeting with him." I mean, of course, in our offices, not on the highway. We look forward to a good relationship with the force, which we have always had. Warmest congratulations come from the members of the official opposition.

### PUBLIC SECTOR PENSION PLANS

**Mr. B. Rae:** Let me respond to the comments, particularly those made by the Treasurer (Mr. R. F. Nixon). The Treasurer will appreciate that the Rowan report and the Coward report are both fairly lengthy and complex documents. I have the document by Mr. Rowan in front of me. It is sufficiently complex that it now requires yet another task force to assess the results of the task force. I am glad to see that Dr. Slater is yet again there to advise the government on what to do. No doubt his task force, as did his previous task force on insurance, will require yet another task force from the government to determine precisely what to do.

My concern with the thrust of Mr. Rowan's report is that if it is going to create a completely market-oriented approach for government pension plans, I would have hoped the approach of the government would be to give the members of those plans more control over the money which is going to be invested. I find it simply not acceptable that we would continue to have a situation, such as that with the hospital plan and the workers' compensation plan, for example, where employees representing the beneficiaries of those plans in both cases have said, in particular, that they do not want those plans to invest in companies that do business in South Africa, and it continues to be the case that those plans do invest in companies that do business in South Africa.

Nothing in what Mr. Rowan has suggested would change that. I think it is not only unfortunate, but it is undemocratic and an affront to those members of the plan, and to the majority of members of the plan, who have expressed their very real opposition to continued investment in companies that do business in South Africa.

The government should take Mr. Rowan's report and the review of pension plans as an opportunity to state categorically that as far as the government is concerned, the surplus does not belong exclusively to the employer who contributes on behalf of employees but rather is something which should be worked to the advantage of the employees who are members of the plan. In this regard, public sector pension plans, if they are to become more market-oriented, should be a leader and a symbol for private sector plans rather than simply reflecting the status quo in the private sector which, I suggest, seems to be the approach that is being suggested by Mr. Rowan.

The debate is now joined. The government can rest assured that the members of the plans, who are very articulate, very knowledgeable about their plans and very knowledgeable about how their captive investments have been used and misused by governments, will be very actively involved in this issue, in this question, whether they be teachers or people working at the Workers' Compensation Board. I can assure the Treasurer that we are going to be active in pursuing these issues as well.

### 1996 OLYMPIC SUMMER GAMES

**Mr. Farnan:** We in the official opposition support the initiative to bring the Olympics to Ontario. But it is very important for us to keep the government focused. We must at the same time point out that we must never be captives to the politics of grandeur rather than to the politics of need. In our bid for the Olympics, we must not tie needed and essential programs to the Olympics.

If there are real housing needs, if there are real needs facing the people of Ontario, these must be our focus. Our bid for the Olympics must never lose sight of the focus and must never postpone the initiatives to implement those schemes that will bring about essential housing and programs. Therefore, I say to the minister and the government it is important that the Olympics must never be used as a mirage of grandeur to take away from the essential problems facing this province. We will keep the government accountable in those areas.



**Mr. McLean:** I want to respond briefly to the statement by the Minister of Tourism and Recreation (Mr. O'Neil). The provincial government's support for the games is welcome. Tourism in Ontario will be the big beneficiary of it all. Not only Metropolitan Toronto, but the whole area, all of Ontario and Canada, will also benefit. I welcome the statement and I know the accountability of the money will be kept in order.

COMMISSIONER THOMAS B. O'GRADY

**Mr. Cureatz:** I would like to respond to the announcement of the Solicitor General (Mrs. Smith) with regard to the new commissioner of the Ontario Provincial Police. This is hardly the time for me to go on at great length in one of my diatribes, which I wanted to do, but merely to say that we in our party welcome the announcement and look forward to co-operation in terms of the position that has now been filled.

I can only say to the Solicitor General that we feel the appointment has been a little tardy. Possibly she should have moved a little sooner in terms of filling the position. With that in mind, I say to the Treasurer (Mr. R. F. Nixon), the Premier (Mr. Peterson) and the government House leader that we will be looking with great interest and anticipation to see who will be replaced on the Metropolitan Board of Commissioners of Police. We know with great anxiety that this position will be filled sooner as opposed to later.

#### EDUCATION FUNDING

**Mr. Sterling:** I would like to respond briefly to the statement made by the Minister of Education (Mr. Ward). I congratulate and thank him for his participation in reaching a negotiated settlement with the township of Goulbourn, the city of Nepean and Cumberland.

As the minister knows, on behalf of the township of Goulbourn and the city of Kanata, I have been seeking a solution for this matter for over two years. While this was left in limbo by the present government for a long period of time, I think it has come to a reasonable conclusion.

With regard to looking forward to fixing the problem for the future—in other words, reaching an equitable equalization factor between various municipalities in a school board area—I look forward to seeing his wisdom in striking that particular formula. Once I see the wisdom in striking that formula, I will also look forward to either approving or disapproving of the appeal process.

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#### 1996 OLYMPIC SUMMER GAMES

**Mr. Sterling:** I would like to congratulate Paul Henderson with regard to the 1996 Olympic Summer Games bid here in Toronto as well. You could not have a better guy in charge of it.

I would also like to point out that, in addition to the government of Ontario's money, there is significant federal money in this and even more private sector money than all governments combined. It makes a tremendous partnership, and I congratulate the government on entering into this partnership.

#### PUBLIC SECTOR PENSION PLANS

**Mr. Runciman:** I have a brief response to the statement of the Treasurer (Mr. R. F. Nixon). With a rather cursory review, we believe this to be a basically reasonable and responsible approach to what is undoubtedly a very serious situation. We think the matter should, obviously, be assessed in respect to the implications in the capital market in light of the Friedland report.

We also have some initial concerns in respect to the tradeoffs that will accompany a move of the funds into market investments and the long-term impact this might have on government borrowing costs.

Finally, we are not enthused, to say the least, to see the appointment of Dr. Slater to again perform one of the government's infamous studies of a study. This is a very serious situation and the minister should get on with the job.

#### EDUCATION FUNDING

**Mr. Cousens:** We are pleased to see that the Minister of Education (Mr. Ward) is starting to do something with announcements, but I would love to have heard him announce something for the capital appropriations for the school boards that are anxiously awaiting some money.

There is an urgent need for it. We know he is getting a big pot. I know the interest will rise as he waits a little bit, but he should not wait too long, because some of those school boards are just not going to be able to survive or get those places in order for the students next September unless he announces that, as well as his other great things.

**Mrs. Marland:** Among those school boards are the Peel Board of Education and the Dufferin-Peel Roman Catholic Separate School Board, which are in an emergency.

#### ORAL QUESTIONS

[Applause]

**Mr. B. Rae:** That is nice to have.

I would like to ask a question of the Minister of Labour.

[Applause]

**Mr. B. Rae:** I appreciate the applause of the Premier (Mr. Peterson).

#### ADHERENCE TO LABOUR LAWS

**Mr. B. Rae:** I want to ask the Minister of Labour a question about his ability to enforce the law in the province. He will be aware it is still the position of the McDonnell Douglas company that it does not have to release medical files, authorized by employees to be given, and in fact is refusing to release that information.

He will also know there are employees who are not now working at McDonnell Douglas, who were laid off by the company, and at the same time work that is contracted out is being performed in the company by other workers.

When is the minister going to enforce the Occupational Health and Safety Act? When is he going to ensure the return of 238 workers to their jobs at McDonnell Douglas? When is he going to do his job as Minister of Labour and make sure that workers are not out in the cold having to look for a job when they ought to have—

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Sorbara:** Contrary to the views of my friend the member for York South, the leader of the official opposition, I think I can safely, and in fact proudly say, that we have made tremendous progress in turning around a very serious situation at McDonnell Douglas. Indeed, we have done that under a very strong microscope. A lot of public attention has been paid to that facility and the issues there.

Let us remember where we were two and a half months ago. Two and a half months ago we were in a situation where my ministry had made a thorough investigation and issued some 212 orders citing violations of the Occupational Health and Safety Act.

More important, we had a situation where, frankly, the company seemed to think that there was some sort of impunity in connection with these violations. At the same time, we had a union which felt it was at its wits' end and did not have any power or enthusiasm, whether from the government or from McDonnell Douglas, in resolving those situations.

Shortly after that, we had 3,000 workers who were sitting in cafeterias on work refusals. Since that time, we have had an agreement between the company and the union to resolve—

**Mr. Speaker:** Thank you. Supplementary.

**Mr. B. Rae:** The fact remains the minister has not prosecuted anyone and 238 workers are out of a job. Those are the facts.

In January 1986, the fellow who sits just below the minister and to his right, the then Minister of Labour, said in this House in a statement, not in response to a question but in a statement dealing with the question of overtime and the Employment Standards Act, and I quote:

"It should be understood by employer and employee alike that the director of the" employment standards "branch will prosecute those who violate their obligations under the law."

That was the ministry position in January 1986.

In February 1988, this minister's staff wrote to the superintendent of personnel and industrial relations at Stelco and said as follows:

"The investigation, completed after the union asked, determined that the hours worked by five of the 11 employees were in violation of part IV of the Employment Standards Act in 1986 and/or to October 31, 1987; that is, these employees had worked hours in excess of those permitted"—

**Mr. Speaker:** Question.

**Mr. B. Rae:** "—by the permit to work excess hours held by Stelco's Hilton Works."

**Mr. Speaker:** Question.

**Mr. B. Rae:** In January, the minister said in this House that his ministry was going to prosecute. It was a statement of policy from the Minister of Labour at that time.

**Mr. Speaker:** Question.

**Mr. B. Rae:** Why has he failed to prosecute when he found a breach of the act by Stelco?

**Hon. Mr. Sorbara:** Just to review some of the facts at Stelco, there has been an investigation going on there for quite some time.

**Mr. B. Rae:** No, there has not. That is the problem.

**Hon. Mr. Sorbara:** My friend the member for York South says there has not been, and yet he cites a letter sent from my ministry to officials at Stelco referring to an investigation. He cannot have it both ways.

There has been an investigation going on at that facility for quite some time. That investigation has now reached the stage 1 completion. We have determined, at this point, not to proceed with prosecutions—and frankly there were very good reasons for that. My friend the member for York South cites that in the letter and I confirm that. But the investigation that we are doing of



that facility will be ongoing and will monitor what is happening at Stelco over the next six months, and a new team of investigators will be going into that facility in October to ensure strict compliance with the Employment Standards Act and the provision of hours of work in that act.

**Mr. D. S. Cooke:** That is really tough.

**Mr. B. Rae:** The employers break the Occupational Health and Safety Act and the minister does not prosecute; he has not prosecuted. They break the Employment Standards Act and he does not prosecute; he has not prosecuted.

Why should any worker who does not want to work on a Sunday in a retail shop believe the Premier or the Minister of Labour for one instant when he says he is going to prosecute? He has not prosecuted anybody under the Occupational Health and Safety Act or the Employment Standards Act. He has no credibility when it comes to protecting the workers of this province on any issue.

**Hon. Mr. Sorbara:** I think, if this really is a supplementary, I ought not to get on to the subject of Sunday shopping and the provisions in Bill 51 and what we have said in that regard, but simply to take the two instances that he has referred to.

Let us go back for a moment to McDonnell Douglas. That is a situation where there were very substantial violations. I can only tell my friend that as the situation stabilizes and the workforce gets back to work, at the same time there is extensive work going on within the legal branch of the ministry, which I told the member for York South a couple of months ago may well lead to prosecutions. It is not appropriate for me to say at this time that there will be prosecutions at McDonnell Douglas before that investigation is complete.

#### USE OF PRESCRIPTION DRUGS

**Mr. B. Rae:** I referred yesterday, in questions of the Minister of Health, to some lengthy experience of her ministry with this problem of drug abuse in the province and the overmedication of people in the province.

Is the minister aware of correspondence going back as far as the mid-1970s and even as recently as 1984-85, in particular the letter that was written by the man who was the chairman of the Drug Quality and Therapeutics Committee between 1979 and 1985, Dr. Mahon? In that letter he says, in writing to Dr. Dyer who was then the deputy minister, "It is clear that many, if not most, of the drugs paid for by the Ministry of

Health under the special authorization scheme are of limited, if any, therapeutic value."

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That was the position of the chairman of the committee as he was leaving the committee "in frustration," in his own words, in 1985. Since that time, even more drugs have been prescribed under this special authorization scheme which continue, in the views of the experts in the field and the man who was the chairman between 1985 and 1988, to be of no therapeutic value whatsoever.

I would like to ask the minister, if that is the position, why the government has not implemented even one of the recommendations made by the members of the committee to deal with stopping the abuse of the special authorization program.

**Hon. Mrs. Caplan:** The information that I would like to give to the House today on this very important matter is that all the drugs listed in the Drug Benefit Formulary or paid for by the Ontario drug benefit plan are drugs which have been approved by the federal government, drugs which are listed in both the United States and the British pharmacopoeia for their effectiveness and safety. Those are the only drugs which are approved for payment by the Ontario drug benefit plan.

**Mr. B. Rae:** The minister should know, if she does not know already, that a doctor who does not find a drug on this list simply phones up a number in Kingston and says, "I want a special authorization." The minister knows that is what happens and she should also know that it is the view of the members of this committee, whose purpose and whose mandate is to review the use of medication in this province, that the drugs which are being asked for are in many, if not most, cases—to quote the words of Dr. Mahon—"drugs that have limited, if any, therapeutic value."

To quote Dr. Carruthers, they are in many cases "toxic or ineffective." They are placebos or jelly beans at best, and at worst can hurt people and drive them into hospital and medical care. Is the minister saying that Dr. Carruthers and Dr. Mahon do not know what they are talking about?

**Hon. Mrs. Caplan:** I think it is important to note when we discuss this very important issue, which is one of great concern, that I am not a physician and that all prescriptions which are paid for by the Ontario drug benefit plan are written by physicians in this province and are filled by qualified pharmacists in the province.



We are concerned about issues of safety, we are concerned about issues of quality of care and I would like the member opposite to know that whenever we pay for a drug under the Ontario drug benefit plan, those drugs which are listed must meet the standards of the federal government for quality and safety.

**Mr. B. Rae:** I want to go back. I want to ask the minister a very simple question. Her ministry is in receipt of a letter from a doctor who was the chairman of the committee in 1985. That is the letter here. She is also personally in receipt of a letter dated January 18, 1988. Both letters are from chairmen of the committee which oversees the drug program and they say the drug program is not working. They say it results in too many people getting too many drugs which do not do what they are supposed to do and which in many cases make those people sick. That is what they say.

Does the minister think Dr. Carruthers and Dr. Mahon are wrong or does she think they are right?

**Hon. Mrs. Caplan:** When the Deputy Minister of Health met with the Drug Quality and Therapeutics Committee, he indicated to it that we wanted to have a forum and that I wanted to have a broad discussion on the recommendations it was making. Surely the member opposite would not want to have recommendations—for example, for user fees which, in our view, would penalize the very people who may need help and assistance—to be unilaterally made by the government without debate and public discussion.

We know that many of the recommendations that this committee of 12 has made are of interest to the Ontario Medical Association, the Ontario Pharmacists' Association, which I met with this morning, consumer groups and senior citizens' associations and consumers, many of which would like an opportunity to discuss the kinds of recommendations that have been made. We share the concerns but I cannot believe the Leader of the Opposition would want this government to take unilateral action without full public discussions.

#### RETAIL STORE HOURS

**Mr. Brandt:** My question is for the Premier. It relates to the select committee on retail store hours, which sat in this Legislature for quite a number of weeks and, over a period of time, as the Premier is probably aware, received some 84 oral submissions as well as 525 written submissions with respect to the whole question of open

Sundays and seven days of commercial operation in this province.

Contrary to the comments the Premier has repeatedly made in this House, the committee believed a wide-open Sunday would represent "a strain upon the family structure. The committee also believes that 'wide-open' Sunday shopping would have an adverse impact upon common time together for primarily female-led single-parent families." That is what the committee found to be true in May 1987.

**Mr. Speaker:** The question would be?

**Mr. Brandt:** Would the Premier indicate whether he thinks that is still true in February 1988?

**Hon. Mr. Peterson:** Since nobody is talking about a wide-open Sunday, the member's question is irrelevant.

**Mr. Brandt:** The only person in the entire province—including all the municipalities, the opposition parties, everyone who has dealt with this issue—who does not believe the Premier's policy is leading to wide-open Sunday shopping is the Premier. He stands alone on this.

Let me place it in a somewhat different perspective then. With respect to this question of whether the issue should in fact be passed on from Ontario to the local municipalities, it is our understanding that the policy with regard to this question was done not with cabinet approval or cabinet review and not even accepting the input of the back-benchers of his party on this particular subject.

Let me quote again, since this was singularly the Premier's policy, or maybe that of the four horsemen in the front row here. Make a note of that because that is what he is going to respond to now rather than the meat of the question, I know; his style is becoming quite obvious.

**Mr. Speaker:** I am waiting for the supplementary.

**Mr. Brandt:** "It is recognized that on Sunday, child care facilities are not generally available, public transit operates on reduced schedules, and open Sundays could lead to the need for more publicly sponsored family support services."

If in fact that comes to pass, is the Premier prepared to pay for those additional costs or is he going to do what he has been following by way of his trend in the past?

**Hon. Mr. Peterson:** I think if the member examines the record of this government with respect to social legislation, such as support of child care for working families, certainly compared to his own record in that regard it has been



quite exemplary. I think he has seen a great expansion of those facilities. We are concerned not just with the so-called regular working hours; we are looking at more flexible programs because we recognize that a lot of people work on shifts now and do have irregular working hours.

My honourable friend will be aware that lots of people work on Sunday now. My honourable friend thinks this putting forward—

Interjection.

**Hon. Mr. Peterson:** Lots of people do work on shift. Policemen, firemen, people in hospitals, doctors and many other people work on Sundays.

So my friend, I assume, would argue their families have been rent asunder by this tradition that has gone on for some long period of time in our province. I do not think the member can justify that, any more than he can justify that the social fabric of Point Edward has been rent asunder by its using the tourist exemption to open up certain of its stores.

With great respect, I think my friend has been putting this issue somewhat out of proportion in that regard. We respect the municipal option. They will make determinations about their own communities. That is done in other provinces. I ask him to look at the evidence. It by no means leads to the so-called wide-open Sunday he is talking about.

1430

**Mr. Brandt:** To show the Premier how narrowly he is approaching this entire subject, the very examples he gave when he pointed out policemen, firemen and nurses, all of those occupations which are required to work on a Sunday, I would point out to him, with the deepest respect, have different hours of operation, different responsibilities from retail workers, who do not have a 36-hour shift or a 33-day shift with 12 hours and four days off, as some of the workers do in my area. They have an entirely different work routine.

The workers whom we are talking about and whom we are trying to protect, and whom we know the Minister of Labour (Mr. Sorbara) is not going to protect, are those who are going to have to work on that seventh day with absolutely no break whatever.

If there are additional social costs involved, is Ontario prepared to pick up those additional costs?

**Hon. Mr. Peterson:** Really, what the member is saying is not factually accurate and he knows it. He knows the Employment Standards Act is

there to govern hours of work and a lot of other things. I say to my honourable friend, it is not right the way he is characterizing this particular situation.

We recognize there are social pressures from a variety of forces in our communities. If he looks at the record, this government has responded to the changes, to the changing nature of the family in some respects, to single mothers. We are determined to provide the best assistance we possibly can to make sure we have a system that is flexible, that is sensitive, that recognizes individual needs and individual choices, and we will continue to be a leader in that regard.

[Applause]

**Mr. Brandt:** While they are applauding over there, I think the municipalities will be pleased to know that not only is the government passing on the responsibility for making a decision on this, but it is going to pass on the costs as well, because there are additional costs involved and it has not even taken a look at what those costs are.

#### COMMITTEES OF THE LEGISLATURE

**Mr. Brandt:** My second question relates to the issue of the committee of the Minister of Industry, Trade and Technology (Mr. Kwinter) that was set up to deal with the whole matter of free trade.

I would like to indicate, first of all, to the Premier, since the minister is not here today, that I was absolutely astounded to learn that the cost of that particular exercise amounted to some \$400,000.

It is also interesting that, after that committee brought in a very predictable report costing the \$400,000, the Premier now appears to be interested and supportive of having further study taken, which we warned him against, by passing this entire matter of a free trade study over to a committee of the Legislature, namely, the standing committee on finance and economic affairs. We estimate the cost of that at \$175,000.

Since the Premier and the government are not going to take any advice from any committee anyway—

**Mr. Speaker:** The question is?

**Mr. Brandt:** —which he did not do on Sunday shopping and a whole host of other committees—

**Mr. Speaker:** The question is?

**Mr. Brandt:** —why is the government spending \$575,000 of taxpayers' money on useless committee studies when the Treasurer (Mr. R. F. Nixon) is constantly complaining about not having enough money?

**Hon. Mr. Peterson:** Presumably, the honourable member's approach would be not to discuss these issues in public. Presumably, the honourable member does not believe in the committee system or does not believe in public discussion. He would like us just to make decisions without sharing them. Given an issue of this import, I think it is important to have a broad public discussion, as we have done.

The member is quite right about the costs. We are happy to share them. They were, as he knows, \$146,000 for public notification; \$137,000 for simultaneous translation; \$45,000 for published reports; and \$43,000 for support services. I invite him to scrutinize it. I think it is a very worthwhile expenditure in looking at an issue of this broad consequence.

We said during the campaign when we talked about it, and prior to then, that we were going immediately to have a look at the preliminary agreement, as the committee did, as soon as it was available on October 5 or 6, as I recall. We started to do that, working with the information that was at hand.

Now the standing committee on finance and economic affairs of the Legislature is seized with the final text and is having its own discussions. If you do not think that is a good idea or if you want to withdraw your members from that, it is certainly within your rights to do so, but I believe that discussion of one of the major public policy issues of our day is very, very worth while.

**Mr. Brandt:** Let it be clear to the Premier of this province that in no way am I attacking the committee system. I am attacking the charade you are making of the committee system. That is what I am attacking. Let it be clear that the charade—

**Mr. Speaker:** And the question?

**Mr. Brandt:** —you are putting before this Legislature with respect to the Meech Lake committee is exactly the same kind of thing you have done with the other committees, namely, Premier, with the greatest respect, you set up a committee to do a detailed study at great cost to this province and then it is quite expected and anticipated by the rest of us in opposition that you will take absolutely no direction from the committee whatever.

In fact, with Meech Lake, you have made it clear from the outset that we can study all we want, debate and talk all we want and, I suppose, spend whatever money we want within reason, but the bottom line is no change. How can you justify that?

**Hon. Mr. Peterson:** I want my honourable friend to realize that he has put himself in the position—I gather that using the word “hypocrite” is not acceptable in this House, so I will not use that word, but others outside the House may use it. Look at my honourable friend who campaigned in the last campaign saying he was in favour of any deal the federal government negotiated. You were running around saying—

**Mr. Brandt:** I didn't say that at all.

**Hon. Mr. Peterson:** Of course you did; your party did.

**Mr. Brandt:** No, we did not.

**Hon. Mr. Peterson:** My honourable friend is cutting bait with his past all the time right now, but he ran around in the last campaign saying he wanted a free trade deal and supported it and he did not even know what he was supporting, prior to any committees. Do not get on your short horse in here and tell me about that.

Let me say about Meech Lake—he obviously does not understand the import of that particular discussion—that it is looking at a lot of constitutional matters, not just Meech Lake but also the second and third rounds. Constitutional change has now been enshrined as a way of proceeding. We are going to have annual meetings on these matters. I think it is important to build a body of expertise in this House dealing with all parts of the country, getting the tone and flavour of the country with respect to important constitutional changes.

If my friend wants to come in with some recommendations because he does not like Meech Lake, it is certainly his right to do so. You have every right, through your members, to put forward whatever position you want, but I cannot imagine this member of this House standing up if I said, “I am waiting for the results of this committee to take a position”—what would he say then? He would say this government was not providing leadership. I tell you one thing, Mr. Speaker, on these matters, this government is providing leadership.

**Mr. Speaker:** I am sorry to interject. I notice there has been a fair amount of finger-pointing and I wish the members would point their fingers and their words to the chair directly.

**Mr. Brandt:** Mr. Speaker, I feel quite comfortable with pointing my finger at you and through you to the Premier.

**Mr. Speaker:** Order. The rule is that comments made by the members should be addressed through the chair, please.



Interjections.

**Mr. Brandt:** Mr. Speaker, sorry, that was an automatic reaction.

Mr. Speaker, I would like to point out through you to the Premier that since May 1987 we have had the Thom report on housing, the select committee report on retail store hours, on which the Premier has changed his position, the county government report, the Podborski report, the Evans report, a whole series of reports. The cost of these reports, I want to point out to the Premier, through you, sir, is in the millions of dollars.

When the Premier raises the question why members on this side of the House have lost some confidence in the committee structure as it has been established in this House, let me just point out that of all those reports, of all the different reports I have highlighted just now and brought to the Premier's attention, not one of those reports has been brought forward for any action whatever or—

**Mr. Speaker:** The supplementary would be?

**Mr. Brandt:** —acted upon with respect to the direction suggested in the report.

**Mr. Speaker:** Supplementary.

**Mr. Brandt:** By way of supplementary, how can the Premier justify that waste of millions of dollars of taxpayers' money on those useless committee reports when he himself will not follow the directions—

**Mr. Speaker:** Very good supplementary. The Premier.

**Hon. Mr. Peterson:** To you, Mr. Speaker, I say to you that indeed we do solicit the best advice we possibly can from a wide variety of experts. I make no pretence that this government has all the wisdom on these matters. We do consult with the very best experts we can find. Indeed, we listen, but then we have to make decisions.

1440

I thought my honourable friend would understand the use of reports in government. His government, for example, not knowing what to do in northern Ontario, commissioned the Fahlgren report. What was it? Ten million dollars? It dragged on for how many years?

If we added up the reports my honourable friend's government commissioned, compared to the ones we have commissioned and taken action upon, I think we would see a record of action and activity and a record of a government that confronts the problems and does not run away from them. If they had acted upon the

advice they had taken in the past, we would not have all these messes to clean up that we do at the moment.

## INCOME TAX

**Mr. Laughren:** I have a question for the very conservative Treasurer of Ontario. The Treasurer, I am sure, would agree with me that every single one of Michael Wilson's budgets has stuck it to the average taxpayer in this country. Could the Treasurer assure us, as he prepares his 1988 budget, that any additional revenues he raises will not come out of the pockets of the long-suffering low-income and middle-income taxpayers in Ontario?

**Hon. R. F. Nixon:** The honourable member, the opposition Treasury critic, has referred to last night's budget, which we all listened to with a great deal of interest.

I think it is worth noting here, since he raised the matter, that tax reform, if we go into it without making any adjustments ourselves, will see us about \$300 million behind, just on the basis of the changes that are part of Mr. Wilson's initiative.

I think it is also worth noting that, since the Progressive Conservative government took office about three and a half years ago now, the changes in established programs financing, which have affected all the provinces, affect the province of Ontario in the upcoming fiscal year to the extent of \$1 billion. So we are down about \$1.3 billion as we start in the preparation for the budget we face.

The honourable member would indicate, I am sure, that it may be necessary for us to make some innovative decisions associated with recouping that loss and also meeting the expanding costs of the programs that are discussed on a day-to-day basis right here in the House. We hope and trust and we are committed to making any changes of that type on a fair and equitable basis.

Certainly, I believe in the progressivity of taxation systems and I hope in any changes that would be made, or even if the tax base remains unchanged, we can adjust the progressivity.

**Mr. Laughren:** I wonder if I could be even more specific with the Treasurer, because he is hinting at making the tax system more progressive without making any major commitment.

The Treasurer knows that people in Ontario living at the poverty level, individuals and families, still pay provincial income tax. At the same time they do that, we have 30,000 profitable corporations in Ontario that pay no

corporate income taxes whatsoever. We have well-heeled people in Ontario who earn up to \$100,000 in capital gains and pay no tax on that whatsoever.

Given that, will the Treasurer assure us that in 1988 there will be absolutely no increased sales taxes or income taxes until those two major problems have been redressed?

**Hon. R. F. Nixon:** I think the honourable member would know that the government of Ontario has attempted to improve the taxation situation for low-income residents of the province. In every budget, we have increased, through the Ontario tax reduction program, the number of those who are tax-free. I am glad to see that Michael Wilson in his tax reform has done some similar adjustments.

In moving to tax credits at the federal level and changing the bases through tax reform, it really means our tax credits have been almost rendered useless in that almost everybody would be at the zero level for credits. That means that the officials of the ministry are examining ways by which we can restructure the credit system. This gives us an opportunity to use the same amount of money, or even more if possible, to establish credits that are certainly designed to assist those at the lower end of the tax system.

I can assure my honourable friends that my direction to the officials is to establish this new system of credits, which we will be announcing at the time of the budget some time in April, or whenever it is ready. We will hope that even the honourable member, who looks at these matters with such a critical eye, will be able to commend us for the progressivity of those decisions.

#### RENT REGULATION

**Mr. Cousens:** I have a question for the Minister of Housing. In April 1987, the minister asked for and received \$25 million for the rent review system. During the same month of April, the Thom commission report on rent control was released through the ministry. Now the minister is asking for an additional \$3.3 million for the rent review system. During this past year, there has been no change in legislation. She knew it had to be done a year ago. Why is she spending more taxpayer dollars on the rent review system? Is the system out of control?

**Hon. Ms. Hošek:** The reason we have increased the resources to the rent review system is to speed up the process of dealing with the various appeals that have been asked of us and to serve the people of the province as well and as quickly as we possibly can.

**Mr. Cousens:** We are increasingly concerned with the way the rent review system is working. The landlords are frustrated because they do not know what is going to happen, because they are waiting a year already to place their next increase or do something. The tenants are frustrated because they do not know what they should be paying. The opposition is becoming frustrated because we are not getting any answers.

The legislation for rent review is two years old already. It seems the minister is just adding more staff and there is still no guarantee that she will have enough. How many more affordable rental units could she build with the \$29 million that she has already aside just for the rent review? How many more affordable rental units could she build and how many more tax dollars is it going to take before she gets her system working?

**Hon. Ms. Hošek:** I too have talked in some detail with the tenants, the people who live in rented accommodation who are concerned about the time the decisions they are waiting for are taking. As well, I have talked with the people who build and manage buildings and who have some of the same frustrations. That is one of the reasons we have increased the resources, to make sure our answers are given as quickly as possible.

Let me say to the member opposite and to the rest of the House that rent review is not the only way in which we protect the people of this province and help them with their housing needs. It is not a panacea, as we know very well. It does, however, offer significant protection, particularly for people of low and moderate income, who need more help to make sure they are not subject to unreasonable increases in their rent. There are other programs we are working on, dealing with the larger provision of housing meant for people of low and moderate income, which will help the situation in the province in a much broader way.

#### EDUCATION FUNDING

**Mr. Ferraro:** My question is for the Minister of Education with regard to capital funding allocations. As alluded to earlier in the House, it is a given that there is never enough money. I am sure the Treasurer (Mr. R. F. Nixon) will attest to that fact and also to the fact that all members in this House are probably in desperate need of capital funding allocations for their respective boards.

I know my friend the member for Wellington (Mr. J. M. Johnson) joins me in emphasizing to the minister and pointing out the fact that last year the Wellington county school boards were among what we believe to be only a few in the



province that received essentially no capital funds, save and except, I think, \$170,000 for some roof repairs.

Having said that, coupled with the fact that, as I am sure the minister is aware, Guelph and Wellington county are among the fastest growing areas in the province, there is as a result a desperate need for capital funds. Overcrowding in our school system, particularly in the south end of the city of Guelph and in the town of Fergus, is almost at crisis proportion.

**Mr. Speaker:** And the question might be?

**Mr. Ferraro:** Can the minister tell me and the member for Wellington when the capital announcements will be made, and also whether Guelph and the Wellington county school boards will be given rather high priority?

**Hon. Mr. Ward:** I want to thank the honourable member for his question. I can indicate to him that the capital allocation announcements will be made in April. All capital requests that are submitted by boards of education are dealt with and reviewed fairly and objectively by officials within the ministry, first at the regional office and then centrally. I cannot, at this time, give any indication as to where those funds will be expended.

I have had the opportunity to visit some schools in the member's riding, as well as schools in the riding of the member for Wellington. I acknowledge that, indeed, the needs within that community are real, but we do try to allocate the funds that are available on a priority basis province-wide.

#### HOURS OF WORK

**Mr. Mackenzie:** I have a question to the minister in charge of the ever-enlarging swamp in Ontario. The minister will be aware that the letter sent to the president of Local 1005 on February 8, clearly found the company guilty of violating overtime provisions in five of 11 cases specifically looked at. It also raised serious questions as to the interpretation of the overtime regulations that were being used by Stelco.

The minister knows that in 1985 the company was found in violation of overtime provisions, was not prosecuted, was to be monitored in 1986 and was not, and in 1987 he had specific cases brought to him where, as was pointed out earlier today, his colleague the previous Minister of Labour said, "We will now prosecute."

1450

I would like to know when this minister is prepared to prosecute his friends at Stelco, where

we have obvious violations; or is it a case where you are innocent when proven guilty if you happen to be a company?

**Hon. Mr. Sorbara:** Let me point out a number of things that are ongoing at the Hilton Works of Stelco in relation to the matter that my friend the member for Hamilton East raises. The first is the issue of permits and the issue of some misunderstanding with respect to what the Employment Standards Act actually provides. We have clarified for Stelco and for the locals exactly what the appropriate interpretation is of those regulations.

More important, we have involved the union there, and Mr. Silenzi, in a review of the permit under which overtime hours are now worked in Stelco. I believe that, combined with the further investigations that will be done in September-October of this year, will bring about a final resolution to this problem, which I admit to my friend has been going on far too long.

**Mr. Mackenzie:** I wonder if the minister has any understanding or if, indeed, he even cares about the total frustration expressed here today by the president of the local and some of the executive members over what they see as almost a sellout in terms of this overtime issue.

This letter that I referred to earlier says there are 57 previous examples of potential violations given to the company. The ministry now cannot find them or has no record of them. I would point out they are clearly referred to in letters to him that I have here on my desk.

Can he tell us what is going on in his ministry and when we can expect some action where there are actual violations of the laws of Ontario, or is that hopeless for workers?

**Hon. Mr. Sorbara:** What is really going on is a thorough review of the whole area of hours of work, a process in which Mr. Silenzi, the president of that local, was involved. We will really resolve these kinds of situations with new legislation which I hope to introduce later this year.

As far as the specific situation goes at the Hilton Works of Stelco, I have told my friend, I have told Mr. Silenzi and I have told the company that we would expect, within the process that we put in place now, including a review of the permit which the union will be involved in, the union will be involved in the process of determining whether there should be any additional permits granted to Stelco at Hilton. That matter will be resolved. Our officials and our investigators will be in there again in September-October and I think that

process is going to resolve a matter that, as I said earlier, has gone on far too long.

#### RETAIL STORE HOURS

**Mr. J. M. Johnson:** My question is to the Minister of Consumer and Commercial Relations. Yesterday the minister could not answer my question regarding the Sunday opening of liquor stores. However, after a quick briefing from the staff of the white knight from London Centre, who is leading us out of the darkness into the Liberal future, the minister has told the press that indeed liquor stores should not open on Sundays.

Will the minister now tell this House exactly what the Premier's (Mr. Peterson) staff advised him is the government's policy in this matter?

**Hon. Mr. Wrye:** The member would want to know that the Liquor Control Board of Ontario normally sets hours of operations for its stores across the province and, indeed, makes a number of changes from time to time. But beyond that matter, it is government policy that LCBO stores, Brewers' Retail stores and wine retail stores are not approved for opening for business on Sunday.

**Mr. J. M. Johnson:** I knew the answer to that question yesterday, but the minister did not. I am pleased that the government will not allow the opening of liquor stores on Sunday. However, if the existing hours of operation for beer and liquor stores, which exclude Sundays, are appropriate for the purchase of beer, liquor and wine, would the minister tell this House why the government is determined to sanction wide-open retail shopping for all other commodities seven days a week? Is this not hypocritical and inconsistent?

**Hon. Mr. Wrye:** The honourable member asks about matters which are contained under two different acts, the Retail Business Holidays Act and the Liquor Control Act. I think our treatment of the two acts has been quite different over the years, and it remains different in terms of the Sunday issue. I do not see the comparison at all.

There was, when the member's party was in government, and there remains with this government, a view that opening on Sundays is not appropriate. I suppose, in a general sense, it is a balance of the access issue and the social responsibility issue that governments, not only in this province but in others, have attempted to achieve over the years. It remains government policy and I contemplate no change.

#### COMMUNITY SAFETY

**Ms. Poole:** My question is for the Solicitor General. As the House is aware, on Monday I questioned the Solicitor General in the House about police involvement in the Montgomery Centre halfway house in my riding.

This morning, I was given confidential information by a former councillor at a halfway house in Brampton. This information contains strong allegations that violent offenders are being released to the community in halfway houses as a matter of course and that other communities are also being misled about the type of offenders who are living in their midst.

My question of the Solicitor General, who is responsible for ensuring public safety in Ontario, is as follows: will she undertake to forward this confidential information without delay to the federal minister of corrections and demand that the federal government instigate an immediate investigation into the whole system of halfway houses?

**Hon. Mrs. Smith:** Yes. I appreciate the member sharing this information with me. I am sure that many people in our province share the concerns she is expressing.

I myself find it very difficult to understand that, on the one hand, the Solicitor General of Canada is holding meetings and making announcements to reassure the people in her riding that they will never be allowed to put sex offenders or such violent people in that halfway house. He is making these assurances on the one hand and yet, on the other hand, we are indeed finding out that these same rules are being broken elsewhere.

It would seem apparent to me that if the assurances are good enough for one halfway house, they should be applicable right across. Indeed, we do need to find out how much this rule, unspoken or spoken, has been broken, whether it is being corrected and whether the information is being properly shared with our police forces.

1500

**Ms. Poole:** My supplementary relates directly to the Montgomery Centre halfway house. At a meeting in north Toronto last evening, attended by 500 people, I obtained two commitments from Correctional Service Canada: first, that violent offenders would be immediately removed from Montgomery Centre; and second, and in certain ways more important, that a community representative in future would be on the screening



committee that reviews those offenders going into the centre.

I would like a third commitment from the Solicitor General. Would she please make the following commitment, that when the Metro police bail and parole unit is notified that a violent offender is being released in our community, the unit must as a matter of public policy notify the local 53 Division?

**Hon. Mrs. Smith:** I would certainly assume that any network of communication would do exactly that. There is no point at all in getting the information to headquarters and not having it shared with the police in the neighbourhood where the occurrence might occur, where the person is actually in residence. This would be my assurance to the honourable member, that the whole purpose of the network of information is so that those at the scene will have a full package of information at their disposal.

#### AGGREGATES EXTRACTION

**Mr. Wildman:** I have a question of the Minister of Natural Resources regarding extraction of sand and gravel in this province, which has been abysmally underregulated as the former and present governments have dithered over the needed amendments to the Pits and Quarries Control Act.

Since the environmental health and safety effects of aggregate extraction—dust, noise and traffic control—can be devastating for the community, and since an amending act was submitted to the cabinet, I understand in February 1987, a full year ago, can the minister explain why there has been such a delay in the introduction of the bill and can he make a commitment that he will introduce the new aggregates act in the spring session?

**Hon. Mr. Kerrio:** The aggregates act is of very high priority and I am sure that I will have it introduced in the spring. Of course, the aggregates act is to take the place of old regulations that have been outdated for a good long time. We are looking at a very major involvement of rehabilitation, of sharing some of the income that we will get under the new act with municipalities so they can repair their roads and do the things that are necessary in and around those municipalities. I appreciate the honourable member's question and I am certain that it will be in the next session.

**Mr. Wildman:** The minister did not explain the reason for the delay. Also, could he explain why, in all the time since the Liberals came to power and over the past year, there has been no

consultation with interest groups such as the Foundation for Aggregate Studies—that is, groups that want to deal with rehabilitation and environmental controls—but only with representatives of the sand and gravel industries? Also, could he assure the House that the new act, unlike the Pits and Quarries Control Act, will apply throughout Ontario and not just in the southern part of the province?

**Hon. Mr. Kerrio:** We certainly will be taking all parts of Ontario into account in the new aggregates act, especially as it relates to the rehabilitation and the funds that would be available to municipalities that are impacted by the extraction. I cannot really defend too much our position in that we have taken as long as we have to get the act before the Legislature, but we will move it in the next session.

#### BEER SUPPLY

**Mr. Runciman:** I have a question for the Minister of Consumer and Commercial Relations. He may have to check with the Premier (Mr. Peterson) about this, but I will give it a try anyway.

The minister will be aware that during the 1985 beer lockout, a great many small and large businesses, hotels, restaurants, pubs, etc. experienced difficulties in terms of securing adequate supplies of beer during the labour dispute and then in getting rid of surplus United States beer afterwards. With the possibility looming of a strike this weekend, would he advise the House of any plans he has to deal with that eventuality?

**Hon. Mr. Wrye:** I want to say to the honourable member that the negotiations are at a very delicate stage. I am very satisfied, from the reports I have had, that there has been good and solid progress. We have kept in very close touch with the negotiations. At this point, I think it would be most useful for me to simply indicate for my colleague that we on this side of the House, and I am sure all members of the House, are hopeful and optimistic that a settlement of the collective bargaining situation will come about by midnight Saturday without a strike or a lockout.

**Mr. Runciman:** In other words he has to check with the Premier.

I have some proposals. In terms of helping Canadian beer producers versus American, in terms of helping small and large Ontario businesses involved in beer sales and in terms of helping to remove interprovincial trade barriers, would the minister consider two proposals:

1. Would he allow beer producers not involved in a labour dispute, such as Amstel and Brick, to sell directly to licensees, rather than having licensees required to buy American beer through Liquor Control Board of Ontario outlets?

2. Would he allow licensees in eastern Ontario to purchase products directly from the province of Quebec for the duration of any strike or lockout?

Is he prepared to consider these proposals?

**Hon. Mr. Wrye:** Quite frankly, the LCBO has developed a contingency plan. That should not be a surprise to the honourable member. I certainly understand quite clearly the suggestions the honourable member is making.

I would just say to the honourable member once more, and reiterate it is certainly my hope—and I have some sense of cautious optimism today that I think is shared by both sides in these negotiations—that with goodwill none of the contingency plans that he is suggesting or any others that have been set forward will be needed, but that we will be able to have a successful conclusion to these negotiations. I know my friend the member for Leeds (Mr. Runciman) has that right at the top of his agenda.

#### COMMUNITY SAFETY

**Mr. Ruprecht:** I have a question for the Solicitor General. I was informed a few hours ago that a person on parole, serving a sentence of two years and six months for two counts of attempted rape and break and enter, has not reported to the Exodus Link home in my riding.

I would like to know from the Solicitor General what I should tell my people tonight, since there is a great concern in our area. What recommendations would she think she could possibly make to ensure that such occurrences are minimized?

**Hon. Mrs. Smith:** It would seem, although there have not been the same tragic consequences, that we have a very similar situation in the member's riding as occurred in the riding of Eglinton. I would see very much the same needs.

It is interesting that the Solicitor General of Canada has assured the people in Eglinton that he will cease and desist from putting violent sex offenders in that home. I would think the people in the member's riding, knowing this, will want the same assurances. I think everybody in Ontario wants to know not only what the policy is here but also what quality of care is being provided in these halfway homes.

Indeed, in the case in Eglinton, there was quite a lapse in time before the police were informed

that this person was missing. From what I understand, there was quite a lapse of time before we became aware of the events in this riding.

I will be inquiring immediately to see when the police were informed of that particular event and to make sure we are not once again running into a condition where we were not even informed after the fact of the person's escape, which would help enable us to assist in catching these people. The unfortunate thing—

**Mr. Speaker:** Order. Is there a supplementary? No.

#### PENSION FUNDS

**Mr. Morin-Strom:** I have a question for the Minister of Financial Institutions about why, in his responsibility for pensions, he will not stand up and protect the pension plans of workers who are having their funds stolen by unscrupulous companies.

In particular, he is aware of the situation facing the employees at the Royal Hotel in Sault Ste. Marie where employees such as Carmel Daynes, who worked for 19 years for that firm, and who retired last June, now cannot collect a pension or get a pension confirmed by the commission because the employer has taken the funds and not submitted either his contributions or the employer's contributions for a period of over two years.

#### 1510

Can the minister tell us why nothing has happened on this case, which his investigators have been looking at for six months? More than three months ago he wrote to me stating that he had been investigating this case on a high-priority basis and that his officials had been told and directed to vigorously pursue this case. What is the minister doing about this situation?

**Hon. R. F. Nixon:** I certainly acknowledge the fact that the honourable member brought it to my attention by letter on two occasions. On both occasions, I passed it on to the ministry. I got a report indicating something that I cannot recall in detail, but it was clear that the facts of the case are very close to the way the honourable member has described them. There seem to be no mitigating circumstances at all.

However, I will have to give the honourable member a more complete report when I have asked my officials for it. Frankly, I thought the investigation had been completed and that some decision had been taken as to whether charges would be laid or other actions taken.

**Mr. Morin-Strom:** The minister's officials have indicated that the funds, if necessary, will be covered by a special fund of the government.



However, that does not address the question of why the ministry will not prosecute firms which have been stealing these funds and not submitting them into the pension plans. As a result, those pension plans are not stable, they do not have the right to disburse funds for pensions. I ask the minister to act a little more expeditiously—we have been waiting over three months since his communications on this—and pursue this to the full extent of the law.

**Hon. R. F. Nixon:** I will give the honourable member the undertaking that I will pursue it. Parenthetically, I would say that I am very familiar with the Royal Hotel from my days on the staff of the board of education there.

#### NIAGARA ESCARPMENT COMMISSION

**Mr. Sterling:** My question is to the Minister of Municipal Affairs. The minister knows the responsibility of the Niagara Escarpment Commission is to uphold and implement the Niagara Escarpment plan. He should also know that one of his government appointees, Robert Campbell, has stated he is not in favour of the present Niagara Escarpment plan. He has been working behind the scenes to undermine that particular plan.

I have a copy here of his letter to his fellow commissioners to try to encourage them to do the same.

**Mr. Speaker:** The question?

**Mr. Sterling:** Mr. Campbell's appointment, this Liberal appointment, comes up for review this Sunday. Will the minister assure the House here now that he will not reappoint him to the commission?

**Hon. Mr. Eakins:** I am quite familiar with the excellent work which the members of the Niagara Escarpment Commission give. As the member knows, members of the commission serve for a period of time and then have the opportunity to serve again in that capacity or otherwise. We are reviewing the appointments at this time and I will report at that time whenever those appointments are in order.

#### VISITOR

**Mr. Farnan:** On a point of order, Mr. Speaker: I would like to call to the attention of the House the presence in the gallery of the former member for Cambridge, Bill Barlow.

**Mr. Speaker:** It is a very good point of information.

#### GOVERNMENT TELEPHONE DIRECTORY

**Mr. Harris:** On a point of privilege, Mr. Speaker: The point concerns the new edition of the government of Ontario telephone directory, the first real opportunity we have had to see the handiwork of the member for Ottawa Centre, the Minister of Government Services (Mr. Patten).

I will not take all afternoon, which it would take to bring out all of the problems with this particular directory, but I would like to comment for a couple of minutes and bring some things to the attention of the House. For example, on page 11 of the directory alone, his staff managed to misspell three out of seven names of individuals employed in my leader's office, as well as making other errors in one little section.

I would like to inform the House that, contrary to the information contained in this directory, my leader's name is Brandt, not Branat. For the time being anyway, I would give the minister the benefit of the doubt that he has not sunk to some new low Liberal effort to minimize the opposition in this House in misspelling my leader's name. I would suggest to you, Mr. Speaker, and it is probably an honest mistake—

**Mr. Speaker:** Order. I fail to see how this might be a point of privilege.

**Mr. Harris:** I will tell you how it will be then, Mr. Speaker; I will divert and explain to you how it is.

This is the directory that is put out by this assembly. The Minister of Government Services does it on our behalf. It lists all of our names. It lists where we work. It lists what we do. For example, it puts our party ahead of the official opposition, which I do not object to, but I can tell you that maybe some others in this chamber do.

The odd little mistake we understand. The odd little typographical error we understand, but there is error after error after error. Things that just have to be transposed from one to the other have not been done well. I would point out to the House, Mr. Speaker, and I hope you will to the minister as well, that we are very disappointed in this disgraceful attempt to reflect accurately the members of this House—

**Mr. Speaker:** Order. Once again, I will say it. Certainly, to my understanding of what a point of privilege is, this is not a point of privilege. However, you have drawn that to the attention of the appropriate minister and he, of course, will look at it very carefully, I am sure.

#### PETITIONS

##### SUNNYDALE CHILDREN'S HOSPITAL

**Mr. Ballinger:** I have a petition signed by 500 people:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We, the following members of Brock township, residents of Sunderland and the Sunderland Business Association, petition against the closing of the Sunnysdale Children's Hospital on the grounds that Sunnysdale contributes greatly to our community status and revenue through goods and services.

"The many employees and residents of our town of Sunderland and nearby communities will suffer financial hardship if this institution closes, and we feel this move is not in the best interests of the children concerned."

#### NATUROPATHY

**Mr. J. M. Johnson:** I have two petitions to table in the House. Each petition contains approximately 100 names and they have been presented to me by Dr. Frederick C. Wilson and Dr. Daphne F. Rappard, both from the town of Fergus. I would like to read the petitions into the record.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

**Mr. Matrondola:** I have a petition signed by 95 people, addressed to His Honour the Lieutenant Governor and to the Legislative Assembly of Ontario, calling on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment. May I read the petition?

"To the Honourable the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

#### RETAIL STORE HOURS

**Mr. Adams:** I have a petition on Sunday closing, and it is the third this week. It is from over 1,000 citizens of Peterborough and surrounding area. It is addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are against Sunday opening of retail stores."

1520

#### ADULT DAY SCHOOL

**Mr. Adams:** I have a second petition also addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We request that the adult day school be kept in the Peterborough Collegiate Institute and Vocational School building, whether that building be a public or separate high school. We also request that this adult school continue to be administered by the Peterborough County Board of Education.

"The majority of students come from the core area of the city. Many go home to be with their children at lunchtime and find the location convenient. The majority of the adult students do not have their own transportation and would find it difficult to travel to another school."

#### TRADE WITH UNITED STATES

**Mr. Adams:** I have a third petition from over 100 citizens of the Peterborough area which supports this government's position on free trade:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas there is a question that the proposed free trade agreement will threaten Canadian political sovereignty;



"Whereas there is a question the proposed free trade agreement will threaten Canadian cultural identity; and

"Whereas there is a question the proposed free trade agreement will result in the loss of jobs;

"Therefore, we support the Premier of Ontario in his opposition to the free trade agreement between Canada and the United States."

#### NATUROPATHY

**Ms. Collins:** I have a petition signed by 232 people addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario: "We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference; and

"Whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practice their art and science to the fullest without prejudice or harassment."

#### JUNIOR PUBLIC SCHOOL

**Mr. Mahoney:** I have a petition from residents of the Lion's Gate subdivision in Erin Mills in Mississauga, addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Further to this, we, the residents of the subdivision known as Lion's Gate, Erin Mills West, wish to express our considerable concern over the urgent need for a junior public school in our community.

"We hereby petition you to communicate our collective interest in this issue to the appropriate individuals in your government."

It is signed by about 135 people.

#### NATUROPATHY

**Mr. Cureatz:** I, too, have a petition signed by approximately 100 constituents given to me by Anna Mueller of Uxbridge, Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practice their art and science to the fullest without prejudice or harassment."

#### RETAIL STORE HOURS

**Mr. Epp:** I have a petition here signed by 350 members of the St. John's Evangelical Lutheran Church in Waterloo, who are opposed to transferring the responsibility to municipalities with regard to Sunday shopping because they fear that is going to lead to wide-open Sundays.

**Mr. Speaker:** Any more petitions? Committee reports? Motions?

**Hon. Mr. Conway:** The House leaders have discussed this matter. We will be reverting to motions a little later in the afternoon.

#### INTRODUCTION OF BILLS

##### EDUCATION AMENDMENT ACT

Hon. Mr. Ward moved first reading of Bill 100, An Act to amend the Education Act.

Motion agreed to.

**Mr. Speaker:** Is there no further explanation?

**Hon. Mr. Ward:** No.

##### MINISTRY OF TRANSPORTATION AND COMMUNICATIONS

##### CREDITORS PAYMENT REPEAL ACT

Hon. Mr. Fulton moved first reading of Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act.

Motion agreed to.

**Mr. Speaker:** Explanation?

**Hon. Mr. Fulton:** Mr. Speaker, may I hold that until I have introduced the second bill?

**Mr. Speaker:** Go ahead and introduce it.

##### CONSTRUCTION LIEN AMENDMENT ACT

Hon. Mr. Fulton moved first reading of Bill 102, An Act to amend the Construction Lien Act, 1983.

Motion agreed to.

**Hon. Mr. Fulton:** The first is An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act and the second is An Act to amend the Construction Lien Act.

The Ministry of Transportation and Communications Creditors Payment Act protects suppliers to contractors and subcontractors working on Ministry of Transportation contracts. All con-

tracts awarded by other Ontario government ministries and agencies are subject to the Construction Lien Act. Recent events, including the bankruptcy of a subcontractor working for seven ministry contractors on nine separate projects, have revealed some shortcomings in the act. After extensive review, my ministry has decided to replace the Ministry of Transportation and Communications Creditors Payment Act with the Construction Lien Act, 1983.

The Ontario Road Builders' Association, which represents many of the contractors who bid for our contracts, has also studied this matter and concluded it would be beneficial if the construction lien legislation were amended to apply to ministry contracts. There are several reasons for this decision. For example, the necessary changes to the old act would make it similar to the lien legislation. However, it would be applicable only to a relatively small segment of the construction industry in Ontario.

Another reason for our decision was consideration of the fact that most of our contractors and subcontractors are familiar with the lien legislation since it applies to contracts they do for other government ministries and agencies as well as municipalities and private employers. They are not as familiar with the MTC creditors payment legislation since it applies only to contracts awarded by my ministry.

In our study of this matter, my ministry also found that there were a number of misconceptions regarding the extent to which creditors were protected by the Ministry of Transportation and Communications Creditors Payment Act. Taking all these facts into consideration, my ministry believes that we, our contractors and their subcontractors and suppliers of labour, materials and services, would be better served if our contracts were subject to the provisions of the Construction Lien Act, 1983.

Of course, the MTC Creditors Payment Act will continue to apply to any claim arising from a contractor's award before it is repealed.

**Mr. Speaker:** That sounded a little more like a ministerial statement to me. However, I am sure the members listened very carefully.

#### LIVING WILL ACT

Mr. Cureatz moved first reading of Bill 103, An Act respecting Living Wills.

Motion agreed to.

**Mr. Speaker:** A brief explanation.

**Mr. Cureatz:** Mr. Speaker, I am sure you are dying with great anticipation. I can see the purpose of the bill. If you bear with me, we will

give a brief explanation so that you and my colleagues of the assembly will have a better appreciation.

**Mr. Speaker:** Commence any time.

**Mr. Cureatz:** The purpose of the bill is to protect from civil liability and disciplinary action doctors and other health care personnel who withhold or cease life-sustaining procedures in accordance with the patient's wishes as set out in a living will.

1530

#### COURTS OF JUSTICE AMENDMENT ACT

Mr. Cureatz moves first reading of Bill 104, An Act to amend the Courts of Justice Act, 1984.

Motion agreed to.

**Mr. Cureatz:** I know the honourable House leader will pass on my comments to the Attorney General (Mr. Scott), to whom this bill is focused.

The bill increases the monetary jurisdiction of the provincial court, civil division, across the province from \$1,000 to \$3,000, which is now applicable in the city of Toronto. We are trying to make it a fair process across the whole province.

#### LEGISLATIVE ASSEMBLY AMENDMENT ACT

Mr. Cureatz moves first reading of Bill 105, An Act to amend the Legislative Assembly Act.

Motion agreed to.

**Mr. Cureatz:** Again, as I know the government House leader has not been listening very attentively to my comments of the past number of months since the election in terms of one of my concerns with the assembly, I thought it would be appropriate to bring it forward in a proposed piece of legislation.

The bill provides for a nonpartisan explication of the proceedings in the House as part of the existing daily television coverage.

#### TABLING OF INFORMATION

**Miss Martel:** I have a point of order which I would like to raise.

On November 16, I tabled questions in this Legislature to various ministries concerning how each was advising the public about the new services offered under Bill 8. I received an interim response on December 7, stating that I could expect a full response on or about January 28. To date, I have not received that response.

I am bringing this to your attention, Mr. Speaker, in the hope that through your good office, I can get a resolution to this as soon as possible.



**Mr. Speaker:** I am always glad to be helpful. I note that the government House leader has been listening very carefully and he will certainly see that request is looked after.

**Hon. Mr. Conway:** I have been listening very attentively to what the member for Sudbury East (Miss Martel) has inquired into and I shall give an undertaking to report back directly. I was somewhat disoriented by the last intervention by the member for Durham East (Mr. Cureatz).

### ORDERS OF THE DAY

#### ONTARIO AUTOMOBILE INSURANCE BOARD ACT (continued)

Resuming the adjourned debate on the motion for third reading of Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates.

**Mr. Speaker:** As I recall, when the House adjourned and this debate was adjourned last evening, some members were making comments in reference to the comments made by the member for Leeds-Grenville (Mr. Runciman). I see the member is not here, so I will just ask if there are any other members wishing to participate.

**Mr. Harris:** I thought the member for Leeds-Grenville made a very fine speech and presentation to this chamber—am I on my two minutes right now?

**Mr. Speaker:** Actually, it is rather difficult to direct comments to a member, who probably may not wish to respond. Are there any other members wishing to participate in the debate?

**Mr. Farnan:** I say to my colleagues in this House that this bill should not be supported, because basically it is a bad bill and is not designed in the best interests of motorists.

The passage of Bill 2, which we can expect with the support of the Liberal majority today, is a sad day for Ontario. It is a culmination of a questionable process. It will mark the successful culmination of a carefully executed scheme designed by the tag team of the Liberal government and the insurance industry. I urge my colleagues to vote against this bill because indeed it succeeds in doing what it set out to do, namely, to design a scheme whereby the Liberals get the votes, the insurance industry gets the profits and drivers of Ontario get shafted.

The people of Ontario have a right to know the way the system operates and how it has operated specifically with regard to Bill 2. Realizing the

system, they will understand why Bill 2 is loaded in favour of the insurance industry and against the drivers of Ontario. As I sat on this committee, I was shocked when government members and Conservatives, at committee and in the House, accused, declared and alleged that consumers appearing before the committee were in some way planted by the New Democratic Party. This was absolutely outrageous. What are hearings for but to hear the people of Ontario? But when the people of Ontario do appear, when the drivers of Ontario do appear, when the consumers of Ontario appear, somehow or other, because they have a legitimate point of view which is in opposition to the bill, the charge of the government and the Conservative members on that committee was, "Oh, they are planted by the New Democrats."

Can members imagine if we were to take this logic and push it to its obvious conclusion? The majority of delegations at the hearings were members of the insurance industry. Are we to presume then that because they appeared at the hearings the insurance agencies, the insurance industry, the brokers, etc., are simply Liberal stooges or Conservative stooges? I think this is a very poor way to conduct this matter.

The reality of the matter is that what we are voting on in Bill 2 is indeed an offspring of what I consider to be a shady relationship between the Liberal government and the insurance industry. As proof of this close relationship, I draw the attention of this House to two items. The first appeared in a newsletter of the Insurance Brokers Association of Ontario, dated April 10, 1987. This is the insurance brokers' association. They have set up a list of action items that they are going to put forward.

"We will conduct a second annual fund-raising drive, i.e., a political action fund. We will have and conduct briefings with the caucuses of the Ontario Liberals and the Ontario Progressive Conservatives. We will establish an election campaign organization. We will be in constant communications with all Ontario MPPs—Liberals and Conservatives. IBC has started a multimillion-dollar advertising campaign."

There is no question there is a relationship between the insurance industry and the government in moving this bill forward. If anyone has doubts that a deal was cut between the Liberal government and the insurance industry, let me put them to rest. A month after the first publication I quoted from, in the same newsletter from the Insurance Brokers Association of Ontario, we read, "To a great degree, both the



Liberals and Conservatives have been defenders of the industry.”

1540

In moving the amendment to subsection 3(2), “At least one half of the members of the board shall be members of consumer associations or persons representative of the interests of consumers,” I spoke at some length a couple of days back on the refusal of the government to be open and fair. This bill will not guarantee fairness. Indeed, it ensures that the rate-setting board remains in the hands of the tag team of the Liberals and the industry.

**Hon. Mr. Conway:** Shame.

**Mr. Farnan:** There may be tokenism for consumers, and as the House leader for the government points out quite correctly, shame indeed.

There will be no meaningful representation. All the amendments put forward by the New Democratic Party to emphasize our commitment to the drivers of Ontario and to ensure they would be represented and heard and fairly treated were defeated by the bloated majority of the Liberal government. We argued that the board also notify any organization or individual who asked to have his name in a registry for the purpose of receiving notification of any hearing to deal with rates. This was defeated by the government.

We argued that the board should provide funding from a pool set up by the insurance industry to interest groups participating in the hearings; again defeated by the Liberal government. We argued against extra rates being charged to individuals simply because they were related to or lived with a bad driver; again defeated by the Liberal government. We argued that policyholders should be notified when their insurance company was applying to raise their rates above the amount prescribed; again defeated by the Liberal government.

We argued that we should be examining a driver-owned automobile insurance plan. With a majority on committee and with a majority in the House, this government is not going to make that comparison. The evidence we heard in the committee suggests that the driver-owned automobile insurance plan is cheaper, is more efficient, is more effective and is supported by the people in the provinces in which it has been implemented, and it has not been removed by those governments that followed NDP governments which introduced that legislation. Any government in those three western provinces would remove that plan at its peril.

I have spoken of the futility of Bill 2’s avowed purpose of providing a window on the industry. In appealing to the voters of Ontario, the government said, “We will be able to see what the rates are.” You have the insurance industry saying in its own literature that it is setting up a political action fund to support the Liberals in achieving power, when I believe most of the members in this House have a conflict of interest on this bill because they received significant, direct financial support from the insurance industry as they contested the election of September 10.

There is hardly a riding where the New Democrats were given an opportunity of winning the election where the insurance industry did not infiltrate with massive mailings of literature. Those Liberal members who won those seats have a responsibility, a debt to pay to the insurance industry. I believe they have a conflict of interest in voting on this bill because the insurance industry put them where they are sitting now and this afternoon they are going to pay their debt back to the insurance industry by saying: “Don’t worry, boys. You supported us when we needed a vote. We are going to support you now that we are in power. When we have this window in the industry, the only people who will look in through that window will be the Liberal government and the insurance industry. We will have that tokenism.”

Of course, as a committee member said—this was the extraordinary thing, the most extraordinary thing I heard on the committee: “Everybody on the board is a consumer. Even if they are presidents of insurance companies, they are consumers.” That is absolutely ridiculous. We demand that significant numbers of that board, if it is to be fair, must be representative of consumers. We demand that there must be a registry for consumers. We demand that the consumers must be notified when there is going to be an increase over and above the rate. We demand that there be funds available for consumers to appeal the process.

But every demand that we made, every time we put something forward that said, “Let us do this for the consumers to make sure that this bill is fair,” the Liberals used their majority. They said no. Every time they said no they paid back a little bit of that debt to the insurance industry. As a result, what is going to happen is that the public perception of this bill, the public perception of this act when it is passed, the public perception of this board when it is functioning, is going to be that it is still unfair.



There is still going to remain in Ontario the reality of distrust. If the government thinks that the drivers of Ontario are going to say, "Hey guys, we trust you now," when only the Liberal government and the insurance industry has access to the window, then it is badly mistaken.

Finally, we are going to see the gouging of Ontario drivers by means of escalating premiums continue. All the charade we have gone through is for nothing, absolutely nothing. I should not really say that, because there were some results, were there not? The Liberals got the votes, the insurance industry got the profits and the drivers got shafted. So there were results, and it is unfortunate.

As I wind up, let me say that as a new member of the New Democratic Party caucus, as a new member of this House, it was a pleasure for me to sit on the committee with the member for Welland-Thorold (Mr. Swart). I knew the drivers of Ontario had a champion. I knew there was an honest individual who had given his total commitment to defending the consumers of Ontario. To work alongside this man and to watch day after day his commitment was an inspiration to me as a New Democrat.

We are proud as a party, inspired by the member for Welland-Thorold, to stand beside the drivers of Ontario, to stand beside the consumers and to say to the consumers of Ontario that it is a sad day for us in some respects. We have to be sad when we see the duplicity in moving forward a bill that continues to pressure the drivers with escalating costs.

But as well as being sad, we are also proud. I was in the committee. I worked with the member for Welland-Thorold. We fought every step of the way. I think we can give a guarantee to the consumers out there, to the drivers out there, that we will continue this fight. The fact that this bill passes today is not the end of the battle; it is the beginning of the battle. But the battleground has changed because up to now, when the drivers of Ontario were getting upset, when the drivers of Ontario were getting those extra premium increases and when the drivers of Ontario were angry, they were angry with the insurance industry.

But believe me, from today, after the bloated Liberal majority files in and sheepishly passes this bill, not only will the drivers of Ontario be looking at the insurance industry, they will also be looking at this government, which has been a partner in the betrayal of the drivers of Ontario.

We may not like the machinations of the financial power brokers of this province, but we

must admire their ability to maintain control. You know, they worked so long with the Conservatives and, indeed, received loyal and faithful support, but there comes a time in the history of a province when governments do change. The insurance industry made that adjustment very smoothly, but they made that adjustment because they found a willing party.

The New Democrats will never succumb to that kind of relationship. We will work with the people, we will fight with the people, and lower insurance will remain a priority for the New Democratic Party.

1550

**The Deputy Speaker:** Do any members wish to respond to the member's statement?

**Mr. Harris:** Very briefly, I was interested in the member's comments about the Liberal Party in collusion with the insurance industry. I have no way of verifying that, although evidence seems to have pointed, perhaps, in that direction.

I was also interested when the member said he and his party would never stoop to that. I would understand him to mean, I guess, the insurance industry; or did he mean they would never stoop to that type of position or campaigning or commitment, say, with regard to the unions; that their party would never stoop to lobbying on behalf of something because it was something the unions wanted or the workers wanted or the injured workers wanted?

I do not know why I am defending the government, because I am very unhappy with the way it has handled this issue. I am very unhappy with what they told the people on the one hand and then intended to do on the other hand. Those facts are undeniable and indisputable, and it is a despicable act the way they handled this issue and many others, although I do respect a party's right to adopt a position that another group may have put forward. Certainly, I would respect the New Democratic Party's right to do that; I would respect the government's right to do that.

I would suggest that maybe the member would like to clarify that. In fact, it was the significant misrepresentation that went on in the campaign that is the real problem here.

**The Deputy Speaker:** Do other members wish to respond? If not, the member for Cambridge.

**Mr. Farnan:** Just a very brief statement. The emphasis is, I suspect, that there are financial interests that do control the political process. They do give parties different names: Liberals and Conservatives. They give them different



colours: red and blue. They give them different catch phrases: individualism and tradition. They give them support to promote their nondifferences: the Liberal Star, the Conservative Sun. They give them lots of money to promote their campaigns.

But you know, the bottom line is that they must be subservient to one master player, and the reality of the matter is that ordinary folks go about their lives thinking that a change in government will make a difference, but little do they realize that the new government is in the employ of the same master. That is the point I am making: that there really are political power brokers. There are groups that control our future through background orchestration of major political parties. Those individuals, those sinister forces that pull the strings on our political marionettes, are the great manipulators of our destiny.

I have no illusions about saying that the insurance industry, with the tremendous financial lobby, as indicated in its own literature—and that lobby was put out into every riding where New Democrats were running. Indeed, in my own riding I can tell you that insurance industry material in support of the Liberal government and the Conservative Party went into every mailbox. Really, it does not matter to those financial interests which one of the two gets elected, as long as it does their will. The Conservatives did their will, the Liberal Party is doing their will; until the drivers, the consumers, the people of Ontario, realize there is a party that will stand up for their interests against the financial interests, and we are here and ready to do the job.

**Mr. Harris:** I am not sure whether making my comments was the right thing to do or not. The leader of the official opposition suggests it was not appropriate and perhaps he is correct.

I do want to comment just for a few moments. It is fortunate that I have the opportunity to follow the response of the member, because from my view and I think from the view of the member for Leeds-Grenville—I always forget whether it is Grenville-Leeds or Leeds-Grenville—I have never considered the Toronto Star a Liberal paper. It is a totally socialist paper. The only time it supports the Liberal Party is when the Liberal Party adopts totally socialist positions, and that is what we have seen happen in the last two years in this province.

I want to talk about the bill briefly. I want to tell members why I am opposed to this bill and I

want to tell them what I think is wrong with the principle of what the government is doing.

This bill does absolutely nothing to address the problems of insurance rates. It will not lower insurance rates one cent. In fact, in my opinion and in the view of many, it will lead to substantial increases in insurance rates in this province, increases that there is no need for, and it does that by removing competition from the marketplace.

This bill does nothing to look at tort reform, which would lower insurance rates. It does nothing to look at the repair industry, which would, in my opinion and in the opinion of many, lower insurance rates in this province.

I use as an example windshield replacements. Most members, in their home towns, as in my home town and as I have seen in Toronto, will drive by window repair shops and they have big signs now, advertising right in the windows, "No deductible; we will pay the deductible for you." I do not know how they get away with that. That is not the principle of the deductible on insurance. "Got a little nick in your windshield? Come on in here. Get a brand new one." It does not cost you \$50 or \$100, as your deductible is supposed to charge you. In my opinion, that leads to many more windshields being replaced than otherwise would be replaced.

I use that as an example, and I do not specify any one industry. There are some in my town that do it and it is wrong. Those who are out there know it is wrong. That is not the principle.

This bill does not go after some of the reasons for rising insurance costs. Tort reform and the repair industry, in my opinion, are two areas that could begin to address why auto insurance rates have escalated in this province and would reduce insurance rates in this province.

#### 1600

So what does this bill do then, if it does not really get at the crux of what the problems are? This bill, in my opinion, applies monopoly logic to what should be a competitive industry. I have seen what has happened when we set up government review boards, if you like, or government rate-setting boards; and I use for example Bell Telephone, which has a monopoly. Because it has a monopoly and competition is not there to reduce or to allow or prohibit, if you like, or discourage a corporation charging far more than is logical, one of the things that is done in a monopoly situation—the granting of that monopoly—is it must accept a rate-setting mechanism.

But what happens in those case—and I have seen it with Ontario Hydro, which has a monopoly



ly and its rates have to be reviewed—is that the review takes place from the point of view that they look at the costs and they ask, “Are these costs of the industry?” There is no incentive for the industry to control wages because it passes the costs on, plus a percentage. There is no incentive to not build a \$400-million head office building, as opposed to renting something more modest, because you can pass the costs on.

There is incentive in hiring a large team of lawyers and accountants to go before the rate review board and justify all the costs and they are very good and very successful at it. It is one of the problems that we have in controlling monopoly industries. I accept that we have to keep working at it because there is nothing else when there is a monopoly industry, but it does not work nearly as well as the marketplace. It does not work as the marketplace works.

I have heard many arguments from my colleagues in the New Democratic Party who have agreed with me, I have heard them use their arguments on free trade. I have heard the leader of the New Democratic Party say it may lead to lower prices—a free trade agreement, freer trade, that principle. Then he goes on, and where we start to lose one another is where he says because it may lead to lowering costs in those industries he has concerns, which I accept as legitimate concerns from his viewpoint, on occupational health and safety, wage rates or what not. None the less, they do accept the argument that competition reduces prices.

In my view, this bill is to restrict competition in the insurance industry instead of attacking the very legitimate reasons and things that could be done to reduce auto insurance rates in this province. I do not want to review all the tort reform proposals that have been put forward by the various groups, but I want to mention that this bill does none of those and there are avenues there that have been proposed by the insurance industry, by the Law Society of Upper Canada and by other groups that have put forward proposals that would indeed reduce insurance rates.

Lack of competition: what is going to be removed now from the marketplace in Ontario, or limited to a very great extent, is the incentive for a company to say: “Go out there and get those premiums even if you have got to cut costs. Even if you have got to cut the premiums, go out and get it because we have got such a shrewd investment department we will make it back there.” That happens, we saw that in the insurance industry. Some companies run into prob-

lems, but that is competition. The good ones survive; the good ones do well.

What is the result of that? The result is lower premiums, lower insurance rates here in Ontario. So were there problems? Of course there were problems. There were problems that tort reform could have addressed. There were problems in the repair industry that could have been addressed.

**Mr. Neumann:** That is not what was happening.

**Mr. Harris:** The parliamentary assistant interjects that is not what is happening.

Instead of trying to encourage more competition, the government comes out with something that goes the other way and makes it worse. That is why I do not support this legislation and I do not support the principle of what the government wants to do with it. I believe it will lead to significantly higher insurance costs in this province. I believe that is what will occur.

I will tell members where I disagree with my colleagues in the New Democratic Party who believe this is a sellout. Quite frankly, I believe this may lead to more pressure for government-run auto insurance. It may lead to that because it is not going to work. That is the basic principle and why my party and I cannot support this legislation.

The second thing I want to comment on is, given that the government is going to go in this direction, how is it going to go in this direction. My colleague the member for Leeds-Grenville pointed out in his remarks yesterday how Alberta was able to set up a rate review board, with two full-time staff and a part-time board, that consumers and industry say does the job.

So how does this Liberal government plan to proceed? The same way it proceeds in other areas. The same way it proceeds in the Social Assistance Review Board. Instead of some part-time people bringing their expertise there, it says: “No, that is not good enough. We have to pay these people big bucks.”

Interestingly enough, many of them are Liberal appointments. There is no doubt about that in anybody’s mind. I think the member for Leeds-Grenville has pointed that out and proven it beyond a doubt. The sad part is that even \$55,000 a year was not enough for them to be at the trough. They had to get it bumped up to \$61,000 or \$62,000. But that is how this Liberal government dealt with that. They went from part-time people, keeping it part-time, to “Let’s get a bigger and fuller bureaucracy.”



What have they proposed in this? Alberta does it with two full-time staff and a part-time board. We are going to do it with 100 staff. That is what the ministry tells us. It is going to take 100 employees to do it in Ontario. The only good job creation record this government has is in creating jobs for civil servants and increasing the government payroll. We do not agree with proceeding that way. We do not think the name of the game is to advertise job creation in terms of the thousands and thousands of new civil servants the government can figure out how to hire. We are not happy with what we see of how the government is going to implement the bill. I want to get that on the record.

Finally, we will be interested because nothing has been said about who these board people are going to be. We have had some discussions about whether they should come from the insurance industry or the consumer associations, but I have not heard any discussions about how they are going to be appointed. Is it going to be another patronage trough for Liberals? Is it going to come to the Legislature to recommend people and approve those people? Are they going to go to consumer associations and say, "You tell us who you want on the board"; or are they going to say, "You can recommend some people you want, but we will appoint who we want all on our own in a Liberal order-in-council appointment"?

We will be watching with interest and I hope that we do not see the chairman being some Liberal hack, somebody like John Kruger or somebody with a pipeline into the Premier's office. I hope that in fact, for the first time in history since this government has taken office, it is not a partisan appointment.

Those are my remarks. We will be voting against this bill because we disagree with the principle. We will be voting against this bill because we think it will lead to higher insurance rates than need be necessary in this province. We will not vote for this bill because it does nothing to address the very real problems that have led to insurance rates that we believe are higher than necessary in this province. We will vote against this bill, as well, because we do not have confidence in this government to implement it in anything but a very extravagant, expensive and wasteful way. We are not happy about this bill because we think it will lead to a number of Liberal patronage appointments.

1610

**Mr. B. Rae:** In winding up on behalf of the official opposition, I do want to start this speech, as I did my speech on second reading, by paying

tribute to my colleague the member for Welland-Thorold.

I say this because I have just finished celebrating my sixth anniversary as leader of our party. I know it feels like a lot longer than that to some members, but it is really just six years. It was the member for Welland-Thorold who had something to do with my seeking that office and winning the election. He nominated me at our convention. Our friendship extends well before that. I can only say, as I stand, that his is a friendship that I really do value. His is an example that I truly admire. I think he is a source of admiration and inspiration for every member of our party whether in the caucus or outside.

The member for Welland-Thorold has been a tremendous fighter on behalf of the people of his constituency, the people of his part of Ontario with his campaign on car insurance, which he and I initiated not too long ago. The member has been seen, I think, as a fighter on behalf of all the people of the province and all the drivers of the province.

Perhaps I may be permitted for one brief moment to say, "Mel, we love you, admire you and appreciate the extraordinary work you have done on behalf of the drivers of the province." If only he were over there as minister on behalf of the drivers, we would have a better deal, we would have a better bill, we would have a better law, lower insurance rates and a fairer deal for the drivers of this province. If only the member for Welland-Thorold was the minister instead of the member for Brant-Haldimand-Norfolk.

**Mr. Reycraft:** The member for Brant-Haldimand (Mr. R. F. Nixon).

**Mr. B. Rae:** Excuse me. At one time it included the county of Norfolk.

Let me say, Madam Speaker, as you assume your position in the chair, that our opposition to this bill has been very clear from the beginning. I listened carefully to the remarks of the House leader of the third party. He closed by saying he felt one of the things this bill might do would be to increase the possibility of our having to move to a public plan.

I can only say that I do not know whether that is true or not. I do know this scheme is not going to work. I do have a very strong sense this scheme is not going to work on behalf of drivers.

I do think it is going to work on behalf of the insurance companies. For that reason, I do not know whether it is going to lead to a public plan, when the insurance companies see that what this bill does is to guarantee a year-in, year-out rate of return for the insurance companies; not overall,



not their whole business, not simply that, but with respect to car insurance.

What have the insurance companies been telling us over the last number of years? They have been telling us during the election they had their industry captains in every constituency. I am sure in your own riding, Madam Speaker, the insurance industry was there looking to see which side members would be on, who was going to be speaking for the industry, who was going to be speaking against the New Democratic Party, who was going to be attacking the possibility of a public plan for Ontario.

Their message throughout the last little while has been very consistent. Their message has been: "We are losing on car insurance. We are not making any money on our car insurance lines." Some companies say, "We are going to get out of car insurance because we are not making any money." I have no idea whether this is true or not, for no other reason than that the insurance companies will not tell us; they will not give us the audited statements.

I challenged them in the election campaign. I said: "Tell us how much you are making. Tell us what your costs of administration are. Tell us how much money you are losing on claims. Tell us what your overall losses are. Tell us how much you are paying in dividends to shareholders as a percentage of your car insurance business. Give us that information and we will assess whether or not you are losing money on car insurance." They would not do that. I am not saying they are losing money. I am saying they are saying they are losing money.

I say with respect to the remarks made by the member for Nipissing (Mr. Harris) that it is not really a competitive industry because it is providing a monopolized service, but it is providing a compulsory service. You have to have insurance in order to drive. It is very hard to talk about a purely competitive situation, because if the market were purely competitive you would have a choice as to whether to buy or not to buy. That is what a truly competitive situation is.

In that situation, if you want to give consumers a fair deal in that kind of market, in any marketplace, the consumer has to have the ultimate choice, not whether he will go to a different seller but whether he will go to any seller. That is how you have a truly competitive marketplace and that is when the consumer can say, "I do not want to buy this product." But if you have to buy the product, you already have the element of, if you like, a monopolized need. The need is monopolized by government, by us, by

the law. We require people to have insurance as a matter of law.

Perhaps I could make a comparison to the nursing home industry, for example. I use the word "industry" on purpose because that is what it has become. In that field, if you want to get into a nursing home, you have to qualify for extended care; and if you want to operate a nursing home, you have to have a licence. When people talk about, "It is a competitive situation," there is nothing competitive about it.

Every nursing home, whether it is good or lousy, whether it has a good health record or a lousy record, has a long waiting list. Why? Because there are a lot more people waiting to get in than there are spaces. Do not talk to me about a free or enterprising system; there is nothing free or enterprising about that system. It combines the worst of a government regulated system, with all the uniformities that requires, with all the disadvantages of a private profit system in that the benefits that come from the government go exclusively to the companies. That is precisely what we are going to see in the insurance field.

I want to suggest that this really is a very direct parallel to the question of health insurance and I want to suggest that 20 years ago our country and our province were faced with some choices. Perhaps it is worth recalling that debate and that division of opinion in this House as well as in the country.

When the Co-operative Commonwealth Federation in Saskatchewan started, first, hospital insurance in the 1940s, and then full-blown health care, fully insured by the government in the early 1960s, it was the first government in all of North America to do that and it was called every name in the book. It was called Communist; it was called Nazi; it was called Soviet. It was called whatever name you wanted to describe it by the doctors and the others, by the Saskatchewan Medical Association and the private insurance companies in Saskatchewan, which fought it tooth and nail.

When that system came to Ontario and Canada, because it had worked so well in Saskatchewan and because the logic of that system was so compelling and the advantage of that system was so compelling, what was the compromise suggested for Ontario by the Conservative Premier of the province, who happened to be the member for London Centre? What was the suggestion?

Premier Robarts suggested: "What we will do is we will have a compulsory plan in the sense that everybody will have health insurance, but we will add a catch. We will make the private



insurance companies the deliverers of the service. So we will have all the insurance companies competing to provide care under the health care system to people who are sick."

1620

The federal government of the day, Mr. Pearson's government, which was a minority government, looked at that scheme and just said: "It is not going to work. All you are going to end up doing is having your costs dictated by the private insurance companies and at the same time those costs will be borne by government and taxpayers, which means that you are going to have excess administration, excess regulation, excess profit, all of it subsidized, guaranteed, sanctified, rubber-stamped and paid for by taxpayers."

Let me say this. Mike Pearson showed courage when he said it was no good. Tommy Douglas showed courage when he said it was no good. Let me say this to you, Madam Speaker, it was no good for health care in 1967 and it is no good for car insurance in 1988 in Ontario.

That is as clear a choice as we are facing. We are facing a system right now in Ontario, or what the government of Ontario is doing is saying, "You have to have insurance if you want to drive." All of us agree with that. They are also saying, "Every insurance company that provides insurance has a right to make a profit." That is contained in the meaning of the regulations that are there. They have a right to what is described as a fair return.

**Mr. J. B. Nixon:** You are making that up.

**Mr. B. Rae:** I am not making it up. The member for York Mills (Mr. J. B. Nixon), who must be from one of the few constituencies that has more insurance agents in it than drivers, says that I am making it up. I am not making it up.

The member should go back and listen to what his political master said, now the Minister of Industry, Trade and Technology (Mr. Kwinter). He made it very clear when he was asked questions on the bill, which is exactly the same as this bill. He said as far as he was concerned, insurance companies had a right to make a profit. They were not in business to take a loss, and if that is what it took to keep them in business, that is what the government was going to do to keep them in business. That is the implication of this law and that is the meaning of this law.

What does that mean? It means that for insurance companies, that have costs of administration that are 40 cents on the dollar—when we look at public plans they have costs of administration somewhere between 18 cents and 23 cents

on the dollar, but in the case of that extra 17 cents or 18 cents on the dollar, who is paying for that? We are; drivers. Who is telling us we have to pay it? Not the insurance companies any more, but the government.

There will be a big red stamp of approval on every insurance bill that goes out from your insurance company. That big red stamp on it will say, "Approved." Approved by whom? Approved by a board appointed by the Premier (Mr. Peterson). That is exactly what is going on.

I say to the Liberal Party of Ontario that it will regret the day it brought in this bill. Every time somebody comes to me with a problem on insurance—and they are still coming, still phoning and still calling—I am going to say to them: "Go to the man with 94 seats. Go to the man who put his stamp of approval on every bill that you are going to get. Go to the man who guarantees to Wawanesa and to all the other insurance companies—name them across the board, Royal Insurance, the Co-operators—go to the man who said they had a God-given right to make money delivering car insurance in the province of Ontario, and who is going to sanction it, approve it and guarantee it as the Premier of the province. That is the man to talk to. Go to the man who said he did not want to have anything to do with something as terrifying as a driver-owned plan."

I can recall over the last two and a half years a number of issues where the Premier has said, "I don't know whether we can do that or not. Don't push us too hard on that one. I don't know whether we can make it." Whether the issue was pay equity or whether the issue was ending extra billing by doctors, he has said: "Don't push us too hard. Don't go too fast. No, we can't do it."

Then once the logic was there, once the political direction was there and once the spine was put into the government to say, "This is what you have to do for that brief two-year period;" oh my gosh, all of a sudden it becomes the status quo and they say: "Not so bad after all. Not so terrible after all. Not so terrifying after all."

I want to suggest that is exactly the case with driver-owned car insurance. Members have heard the logic of the arguments in committee, and I know people will say: "What about Manitoba? What about British Columbia? What about Saskatchewan? The rates have gone up in the public plans." One can only say, "Yes, rates have gone up under public plans." There are pressures on all insurance plans across the world. There are pressures on all plans on car insurance. Everybody knows that.



The question is, how do we best meet those pressures? Do we meet them by building the principle of profiteering and profit-making into that system or do we meet them by building the principle of public service and efficiency into the system? I say give me the notion of public service over private enrichment every time, if we can do it fairly, if it is a monopolized service anyway and if the system can be demonstrated to be more fair and more efficient.

I am quite happy to take the case on behalf of an effective public service effectively delivered. I do not believe a system of insurance which costs in terms of administration somewhere between 36 cents, 37 cents, 42 cents or 43 cents on the dollar is a very efficient scheme. I do not think that is efficient. I do not think it is a reasonable cost for drivers in this province to have to bear. I do not think we should be subsidizing that kind of a system.

Obviously, this bill is going to pass. We certainly recognize the size of the Liberal majority with regard to this bill, but I think it is important for us to appreciate the campaign that has led up to its being passed. It is the response from the Liberal Party to the campaign that my colleague the member for Welland-Thorold and the members of the New Democratic Party have led on behalf of drivers for over two years. It is a response that has taken two years to create.

What is that response? That response is to set up a level of bureaucrats, all of whom will have their rubber stamps in hand. There will be government-issue rubber stamps from the Ministry of Government Services. They will be there, ready for the insurance companies saying, "We need a rate increase of 15 per cent, 20 per cent, 25 per cent or 30 per cent;" and this is what we get.

Look at the experience of the Ontario Energy Board. Consumers Gas comes in and says, "This what we need." Consumers Gas puts forward its guaranteed rate of return, and the energy board says: "Maybe the rate of return is a little bit too high. We will adjust it a little bit." But there will always be that guaranteed rate of return to the shareholders of Consumers Gas.

I was shocked and disappointed to see the remarks of the chairman of Consumers Gas, Mr. Aird, who happens to be a former Lieutenant Governor of the province, saying that the only trouble with this winter was that it was not cold enough in terms of the profits that Consumers Gas wanted to make. It was important for everybody to pray for more cold weather so they could make some more money.

I think what we are looking at here in the insurance business is exactly the same issue as we face in these other situations. I come back to my point and I will make it as clearly as I can. The rates that are charged to drivers in the public plans are lower. That is no accident. That is because the costs of administration are lower. That is because the return on investment is higher. Those facts are there; they are indisputable. No matter how you cut it, no matter how you add them up, those facts are there.

The only thing preventing this government from doing the same thing for Ontario is the fact that it is committed to the private insurance industry in this province, that it is not concerned about public efficiency and that it is ideologically blind to the advantages of a public plan.

### 1630

I can think of one or two members opposite who said to me when they were members of my own caucus—and I look forward to seeing how they are going to vote today, because that will be an interesting flip-flop to explain—when they went to their own voters and said, "Oh, I think a public plan is good." Even after they switched parties they were saying to their own supporters, "You know, the one thing I do agree with the New Democratic Party on is this question of public insurance." Publicly they said it. In the newspapers they said it. In the newsletters that we, the taxpayers, pay for and that they send to their own constituencies they said it. And many other members have said to me privately: "Oh, yes, we support the notion of public insurance; you are right. But really we have no choice. This is the way the system works; this is the way it is."

I just want to say, this bill will go through. It will lead to higher rates. It will lead to a continuing ripoff of the drivers of Ontario. It will lead to a guaranteed rate of return and a guaranteed profit to the insurance industry. It will mean that all the drivers of the province will be paying too much. It means the insurance industry will be given succor and support and nourishment from this government in its attack on our party and those of us who believe in a public plan. That will continue right through until the next election, and it will be paid for by drivers' bills, which bills will be sanctioned and sanctified and made holy and pure by the activity of the Liberal Party of Ontario and its determination to make those bills holy and pure and sanctified.

I think it is a bad law. I think we could do a lot better on behalf of drivers. I am very sorry that we do not have more members to make that happen, I really am. I have enjoyed the first stage



of this campaign. It has been an experience and a lesson in political democracy for me that I will not readily forget. But, Madam Speaker, do not come crying to us when the bills start to go up. They are going to go up and it is because of the Liberal Party that they are going up, and that is the bottom line.

**Mr. J. B. Nixon:** I am rising to speak in support of this bill, certainly not to attack any particular party or ideology but rather to reaffirm this government's commitment to Bill 2. In doing so I would like to take us back for a brief moment and remind the House what was occurring in April 1987 and prior. I think it was clear to all members of the House that competition was not working in the marketplace. Prices were rising and we were all aware, as individual members, of the problems in the insurance market.

The former Minister of Financial Institutions, when he rose on April 23 to announce the six-pronged reform package of this government, alluded to the fact that we had waited for the insurance companies to act, and they had not acted; we had requested specific remedies and reforms, and they had not come forward, or had come forward too slowly. So on April 23, when he rose, he announced, among other things, a temporary capping of insurance rates; the creation of the auto insurance review board; the mandatory uniform classification system eliminating the use of age, sex and marital status; the Motor Vehicle Repair Act, which my friend the member for Nipissing has conveniently forgotten, to control the prices charged for auto insurance repairs. He announced the commission of the Honourable Mr. Justice Coulter Osborne to study the alternative form of compensation, no-fault compensation to the court system, and he referred to the tort reform examination being conducted by the Ontario Law Reform Commission.

In addition, he announced amendments to the Insurance Act which would increase consumer protection, would increase enforcement remedies of the office of the superintendent of insurance and expand disclosure of information to consumers about how rates are set, why rates are set, what rates are, what classes they are in and financial information they need as consumers.

Of the six elements of reform, the bill before us, Bill 2, has only one of those elements. The purpose of Bill 2, quite simply put—not as my friends in the opposition would put it but as it is stated in the act, not in their minds as they

imagine it might be but as it is stated in the act—is to set rates which are fair and equitable, not excessive nor inadequate. The two principles behind this bill are, first, stability in the market; and second, disclosure of the rate-setting process via public hearings.

One important aspect of the bill is the mandatory classification system, which eliminates the use of age, sex, marital status and disability as rating criteria. This initiative was fully supported by the human rights commission, and we hoped it would have been done quite some time ago. In fact, I can recall reading, and some members here may recall hearing the Minister of Consumer and Commercial Relations in 1979 announcing that that government intended to rid us of discrimination on the basis of age, sex, marital status and disability in insurance rating.

It did not happen. This government did it. This government did it in a committee, and the committee system worked. Contrary to what the member for Cambridge (Mr. Farnan) has told this House, and I think the member for Welland-Thorold will agree, the committee worked well, it was a good exercise in democracy and there were no stonewalls.

Once we achieve passage of this bill, the House willing, I want to mention that the government will be recommending to the Lieutenant Governor the appointment of John Kruger as the first chairman of this auto insurance board. Mr. Kruger, as members will know, not only has served this government in his civil service capacity very well—he is chairman of the Pension Commission of Ontario and will continue for a period of time to allow for an orderly transition to his full-time capacity as chairman of the auto insurance board—but he has also served well in his employment with the Metro Toronto government.

Having said that, I would like to comment briefly on some of the material that was put before the standing committee on administration of justice, simply because we have heard so much of the passion and vigour of our friend the member for Welland-Thorold.

He has told us and his party has brought before us its program. In my own way, I would applaud the member for his compassion and vigour but not for his ideas and not for his program. I would remind you, Madam Speaker, you may not be aware, but the member for Welland-Thorold was pursuing this quite some time ago.

I am quoting from the Welland-Port Colborne Tribune: "The Liberal candidate in Welland riding today accepted the invitation to debate



automobile insurance rates. The debate challenge was issued early last week by the NDP candidate, Mel Swart, and the formal request from that candidate was received by the Liberal candidate. The Liberal candidate agreed that the matter of automobile insurance is of significance to the public in his riding. As soon as the Progressive Conservative Party candidate is formally chosen, they agreed to arrange a debate."

The only thing I would say in addition is that that was the Welland-Port Colborne Tribune in 1967. I do not know whether the member for Welland-Thorold did get his debate or not, but I can say that in the standing committee on justice we had a debate. We heard the evidence. People came from British Columbia, they came from Saskatchewan, they came from Manitoba and they told us what their experiences were.

I would like to read to the House from Hansard, the record, just a few comments that were made:

A Mr. Garriock, a chartered insurance broker in Manitoba, past president of the Insurance Brokers Association of Manitoba, also an insurance broker in Ontario, said: "The advantages within the Autopac system are that our government in the province has done away with the age, sex and marital discrimination features which, in my opinion, are a very obvious flaw within the Ontario system."

We have done away with it. That is the flaw he cited, and we have done away with it. He goes on talking about the Manitoba experience: "Perhaps a solution would be something along the line of what you people are looking at right now in Bill 2..."

The solution he is looking for is a solution to 24 per cent rate increases and escalating rate increases. He says perhaps the solution is "what you people are looking at right now in Bill 2, which I am personally much in favour of. I wish there was something like that in Manitoba, where there would be an independent review board." They do not have an independent review board in Manitoba.

**1640**

Joe Stark, president of the Insurance Brokers Association of Saskatchewan, talking about the Saskatchewan experience, told the committee "as all drivers are rated equally and no provision is made for claims-free or conviction-free drivers, we feel that the rates in Saskatchewan are higher than those of other provinces that do not have government auto insurance." That is the head of the brokers in Saskatchewan. The classification system here proposes to rate people on

the basis of their driver experience, driver history, the very thing which the Saskatchewan government-run program does not do and the people of Saskatchewan find objectionable.

I go on. Mr. Stark again, the chief broker in Saskatchewan: "A general concern of drivers who move into the province, and from my own agency I can attest to it, is that they always think Saskatchewan's rates are going to be lower. They are quite surprised when they get there to find they are paying more than they paid in the private province for comparable coverage."

Again: "The insured deals directly with the company and if he has some problems with the company"—this is the public auto insurance company—"he feels that the minister or his member of the Legislative Assembly should be able to help him." I know my friend the member for Leeds-Grenville referred to this yesterday. This is a Saskatchewan broker saying: "I heard a statistic at one time in one of the claims offices that one of every two claims had a ministerial inquiry on it because of the MLA. Once one person starts doing it, they feel it—it can be a real problem for the government." I am sure it can, and that is the testimony we heard.

We heard a lot of testimony about the difference in rates. I can tell members that my friend the member for Welland-Thorold asked the Clerk of the Legislature to perform a mathematical calculation which showed that rates are lower in Manitoba, Saskatchewan and British Columbia than they are in Ontario. But just for the purposes of the record, if someone ever reads these things, I would like to point out that that calculation excluded a few factors.

First, it said that the Ontario rates were based upon gross premium income and the public company programs were based on net premium incomes, so he had less premiums in his calculations and it automatically resulted in lower rates in the calculations.

Second, his calculations were done in 1986. In 1987, Manitoba increased its rates 24 per cent, BC increased its rates 22 per cent and Ontario capped its rates. I would like to look at the 1988 figures.

Third, and this is most important, and I will come back to it because it refers back to the reforms initiated by this government and that we are still working on: The average bodily injury claim, we were told by the president of Autopac, in Manitoba is \$5,200. I am advised by the insurance industry, I will be quite frank, that the average cost of a bodily injury claim here is \$19,000.

Once we have a board, members will be able to get that information and make their own comparisons, but we have heard it is \$5,200 in Manitoba and more than \$19,000 in Ontario. I can tell members that everyone in every system, no matter where it is located, says there is one thing about premiums that all can agree on: The cost of auto insurance, the price of the premium, is driven by one thing and one thing alone, and that is the cost of the claims.

**Mr. Swart:** What about expenses?

**Mr. J. B. Nixon:** Let me suggest that I have, to corroborate me, Thomas Holmes, the president of Insurance Corp. of British Columbia. Faced with a 22 per cent increase, did he say, "Well, we can cut back on our administrative costs"? He did not make that argument. It would not have made sense in any event. What he did say is—

**Mr. Swart:** Only half now what the private system is.

**Mr. J. B. Nixon:** Hold on. Listen for a moment. You might learn something; I do not know.

"Liability is what is killing us here. Liability costs are up 61 per cent from 1983 to 1986." ICBC president Thomas Holmes said, "The drivers of this province, to a large extent, set their own premiums."

In any event, I have suggested to members why they cannot compare the rates which are produced, whether it is by brokers or by legislative research offices, and, in fact, I am not alone when I make that statement. We heard in the standing committee from the president of the Insurance Agents' Association of British Columbia. This is what he had to say about comparisons of rates:

"The only comment I can make is that any of these comparisons, to my mind, are not worth the paper they are written on because there have been so many and each side refutes the other one. If you have the information there from the corporation, it is going to give you a perfectly legitimate and worthwhile example, and you will believe in it, that its premiums are less, and yet you get information that will equally stand on its own from the other side and it will show that they are less."

Again he goes on, "The factor that makes it so difficult" to compare rates "is that, for example, the total population of vehicles in British Columbia is just over two million. You have over two million vehicles within 100 miles of this seat," speaking of this House. "...So you have a totally different exposure, a totally different weather

pattern" and, I might add, a totally different claims experience.

That was a man who writes insurance in British Columbia.

We also heard from a gentleman who is president of Wellington Insurance Co., Murray Wallace, but has the added benefit of four years' experience as past president of the Saskatchewan Government Insurance Corp. So he has seen both sides. He says:

"If you take a look at the situation in British Columbia...every auto insurance situation provincially is completely different in terms of the things that drive the loss-cost database. That is why rate comparisons are so futile and that is why they can be used to advantage by us in the industry, or by people who are proponents of public auto insurance."

"I would like to say"—and this is the man who has seen both sides of the story—"and I can say this dispassionately, having been fired by two separate governments of different stripes"—yours and yours, not ours—"that there is no valid comparison between the operation of a proposed public automobile insurance plan in Ontario and what happens in BC, Saskatchewan and Manitoba."

"In the case of the Saskatchewan, which I do know well, we have had a wide range of discretionary alternatives available to us in representing what were the costs of the system."

Having heard that evidence, I can tell members that many of the committee members who came to that committee without their minds made up have said to me, "We did not hear the same evidence, we do not think, that the member for Welland-Thorold heard." I suggest that he puts it forward with passion, but I suggest that the evidence just simply did not support it.

We had the public hearing. That has been done. What we are dealing with now is Bill 2. Quite frankly, I would suggest that, as only one part of an overall reform package, Bill 2 will accomplish the purposes which the government has set out: that is, major reform in the insurance industry, the premium-setting process and the cost of claims and adjustment.

I suggest that for all those reasons I would urge everyone in this House to support this bill. I am much more optimistic about its prospects for the future, particularly with the appointment of our new chairman. That is all I have to say.

1650

**The Acting Speaker (Miss Roberts):** Are there any comments or questions as a result of the remarks of the member for York Mills?



**Mr. Swart:** I am not sure I can fit them in two minutes but I will try. First, the member who just spoke, the parliamentary assistant, is correct that there was a Liberal candidate in Welland who agreed to debate against me on the issue of public auto insurance versus private auto insurance. I want to tell the member that he did exactly the same thing the Minister of Financial Institutions (Mr. R. F. Nixon) did in this House. After agreeing to debate with me on the issue, he backed off doing it and refused to debate with me, and for exactly the same reason, because the private system cannot stand up to the public system. Both of them backed off.

I also want to say with regard to the comments of all these people—the parliamentary assistant knows this to be correct—from Manitoba, Saskatchewan and British Columbia that the bottom line for every one of them was that yes, they should keep the public system. There was not one that recommended they abolish the public system. Even the Conservative spokesman from Manitoba, from the official opposition, as the bottom line on the question said: “No, it is not the policy of our party that it should be abolished. We do not think that would be right. We do not think the people would put up with it.”

The parliamentary assistant talks about how you cannot compare the premiums. I stated that when you compare premiums you cannot give an exact comparison. But when the premiums in British Columbia are 20 per cent lower than they are here—that is today, not two years ago—when they are 40 per cent lower in Manitoba and almost 50 per cent lower in Saskatchewan, I want to say to the member that those small differences—in fact, they have more coverage out there than we do here. We do not compare that. They have more accidents. It stands up that those plans are substantially cheaper than they are here.

**Mr. Harris:** The member for York Mills said this bill had two reasons, stability in the marketplace and public disclosure and review.

Stability in the marketplace: I did not know any auto insurance companies were leaving Ontario. What is the stability this bill had to provide? Was there a problem with rates? Yes. What has this government done? It has frozen rates at the highest level they have ever been at in Ontario and now it has provided a mechanism so those rates can automatically be higher and higher and higher. It is a joke that this is to provide stability in the marketplace.

Public disclosure and review we agree with, but this bill sets rates we disagree with. This is not the way you treat an industry. It takes all the

competition out and now it is going to give it rate-setting power which means it will operate like a monopoly, as I explained before; two lousy reasons, by the way, two inappropriate reasons to suggest why this bill was brought in.

The member also said the committee hearings worked well. They did not want hearings. He quoted all the things that happened in the hearings that helped him. They did not want them. We are here this week for three bills that they all wanted before Christmas. “We want these before Christmas without hearings.” He should not take credit for anything he heard in hearings on conflict of interest, on municipal elections or on auto insurance. He did not want to hear from the people.

The last thing I want to say is that it is a disgrace the minister responsible is not here. He was here for next to nothing of the debate. He ran in after committee of the whole House. He moved third reading and then he ran out. He has been here for next to nothing of the debate. He is not here on the final day. He is not here on the wrapup. Now there is nobody to even wrap up for the government or comment on behalf of the government because the minister is not here, and that is a disgrace.

**Mr. Speaker:** The member’s time has expired. Is there any other member with any comments or questions?

**Hon. Mr. Kerrio:** I thought it was very ably done by the parliamentary assistant.

**Mr. Breagh:** We haven’t seen this kind of arrogance since Sidney Handleman.

Interjections.

**Mr. Speaker:** Order. Are there any other members wishing to make any comments or who have any questions on the comments by the previous speaker? No? Up to two minutes.

**Mr. J. B. Nixon:** Mr. Speaker, in case the member for Nipissing missed it, that was the windup speech. I would just like to comment that we have seen three options put forward. We have seen the option of the third party, and that is completely unacceptable. The free market that got us here today, which everyone knows was not working, was totally disrupted and was a mess. We have seen the option of public auto insurance from the opposition. We have had the public hearings, the debate in the committee and the debate here today. That has been rejected. I urge this House to support Bill 2.

1710

The House divided on Hon. R. F. Nixon’s motion for third reading of Bill 2, which was agreed to on the following vote:

**Ayes**

Ballinger, Beer, Bossy, Callahan, Caplan, Carrothers, Chiarelli, Collins, Conway, Cooke, D. R., Cordiano, Daigeler, Dietsch, Elliot, Elston, Epp, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Haggerty, Hart, Henderson, Kanter, Kerrio, Kozyra, LeBourdais, Leone, Lipsett, Lupusella;

Mahoney, Mancini, Matrundola, McClelland, McGuigan, Miclash, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Oddie Munro, Offer, Owen, Patten, Peterson, Phillips, G., Poirier, Polsinelli, Poole, Ramsay, Reycraft, Riddell, Roberts, Ruprecht, Smith, E. J., Sola, Sorbara, Stoner, Sweeney, Tatham, Velshi, Ward, Wong, Wrye.

**Nays**

Allen, Brandt, Breagh, Bryden, Charlton, Cooke, D. S., Cousens, Cureatz, Eves, Farnan, Harris, Laughren, Mackenzie, Marland, Martel, McCague, Philip, E., Pollock, Pouliot, Rae, B., Reville, Runciman, Sterling, Swart, Villeneuve, Wildman.

Ayes 69; nays 26.

**Hon. Mr. Conway:** Mr. Speaker, the Lieutenant Governor awaits. The Premier (Mr. Peterson) will leave with the Clerk of the House.

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

**ROYAL ASSENT  
SANCTION ROYALE**

**Hon. Mr. Alexander:** Pray be seated.

**Mr. Speaker:** May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

**Clerk Assistant:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 1, An Act respecting Conflicts of Interest of Members of the Assembly and the Executive Council;

Le projet de loi 1, Loi concernant les conflits d'intérêts des membres de l'Assemblée et du Conseil des ministres.

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates;

Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act.

**Clerk of the House:** In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de sa Majesté, Son Honneur lieutenant-gouverneur sanctionne ces projets de loi.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

**1720**

**MOTIONS****SELECT COMMITTEE ON ENERGY**

Hon. Mr. Conway moved that a select committee on energy be appointed to inquire into and report within one calendar year on Ontario Hydro affairs; that the committee have the authority to release its reports during any adjournment or recess between sessions by depositing a copy of the report with the Clerk of the assembly and upon the resumption of the meetings of the House, the chairman of the committee shall bring such reports before the House in accordance with the standing orders; that the committee have the authority to sit concurrently with the House and during any adjournment or recess of the House, subject to the approval of the three party whips; that the committee have authority to adjourn from place to place in Canada; that a full Hansard service be provided for all of the proceedings of the committee; and that the committee be composed of the following members: Mr. Carrothers, chairman, Mr. Brown, Mr. Charlton, Mr. Cureatz, Mrs. Grier, Mr. Matrundola, Mr. McGuigan, Mr. M. C. Ray, Mr. Runciman, Mr. South, Mrs. Sullivan.

**Mr. Charlton:** I would like to make a few brief comments on the motion. I will start out by saying that I have no quarrel with the basic motion. The government is well aware that this party is interested in seeing a select committee continue on the question of review of energy issues, and specifically review of the operations of Ontario Hydro.

I do, however, have some serious concern about the intent stated by the Minister of Energy (Mr. Wong) in a statement in this House in December, to refer the matter of the Ontario Hydro demand-supply options study to the select committee as its first and major priority in this one-year period mentioned in the motion.

I would like to point out to the government House leader and to the Minister of Energy that the select committee that they are reconstituting by this motion sat in the fall of 1985 and in the spring of 1986 for a considerable period of time reviewing matters related to Ontario Hydro,



including a preliminary review of the demand-supply options study.

After very careful consideration, that all-party select committee, including unanimously all four of the Liberal members of that committee, recommended that: "The Ontario Energy Board should conduct a public review of the results of Ontario Hydro's demand-supply options study. This review should take place at least 60 days after a final report on the options and all supporting documents have been issued. Recommendations should be made to cabinet in a public report."

When I raised this matter in the House with the Premier (Mr. Peterson) in December, his response was his feeling that a select committee of this assembly would be a more democratic approach to the question of reviewing the demand-supply options study. That kind of comment and the statement by the Ministry of Energy has made it very clear that this government does not understand in any way, shape or form either the complex nature of the study itself or the importance of the issue to which that study speaks.

When the select committee dealt with this question in the spring of 1986 and tabled its report of July 1986, the question was very carefully considered and the committee decided to recommend that the matter be referred to the Ontario Energy Board for a number of very specific reasons. The first of those reasons, where the committee will have to seek permission to sit from the whips, the House leader stated very carefully in his motion today.

We have all seen the process that has gone on in the last two months as committees fight to get sitting time. We will go through the process in this select committee to get the time to sit to study the matter of the demand-supply options study. We will fight and we will get offered probably four weeks, maximum. If we fight really hard as a committee, we may be allowed to sit and review the demand-supply options study for as long as five weeks. We will likely be allowed to retain some staff to that committee, one consultant and maybe one other expert.

Those are the very reasons why the last select committee recommended that this matter not be referred back to the same place, that it go to the OEB—what is required to do a proper job on an issue that is so important to this province that obviously it has gotten by the government's ear. The results of the review of this study and the decisions that are made resulting from this study

will lock in this province in terms of Ontario Hydro's direction for the next 25 years.

Once the decisions flowing out of this study are made, there will be no more options to consider. They will be locked in for the next 25 years. The select committee, as I suggested, will end up with a couple of staff and four or five weeks in which to review this extremely important matter. What is required is three to four months of very intensive hearings, with a lot of expert cross-examination, so that we can get to the best, final decision for this province before we proceed to implement those decisions.

For those reasons I felt compelled to rise this afternoon to make these comments. This issue is far too important to let just slide down the chute without any comment at all. I am giving notice to the government that when the select committee sits for its two days of organization, on February 29 and March 1, I will be moving motions to refer this matter back.

**Mr. Runciman:** I have a few brief remarks, but before I get into them, my colleague the member for Mississauga South (Mrs. Marland) asked me to express her concern that the government has not acted on the commitment to establish a select committee on the environment.

I guess I am not terribly enthused about being involved in another committee simply because of my own workload and the workload of members of this caucus and, I suspect, of the official opposition as well. Our primary concern is we would like to see the select committee established but only if it is going to prove to be a meaningful exercise. If we look at the experience of the past select committee, most of the recommendations have not been acted upon by the government. If we look at the select committee on retail store hours and what the government's reaction to the committee's recommendations were with respect to that particular issue, it treated them with disdain. So I guess those of us who are going to be serving on this have, at best, to hope that the government is truly committed to acting upon any recommendations we may come up with.

**Mr. Charlton:** They didn't act on the last one.

**Mr. Runciman:** That is right; they did not act on the last one, so I guess we will have to be rather dubious, to say the least.

With regard to the terms of reference, the member for Hamilton Mountain (Mr. Charlton) indicated that he is going to be making some motions. I am sure our party will be making motions with respect to what this committee is going to be looking at. We hope we are not going



to be facing difficulties from the majority membership of the government on this committee, that indeed it is committed to having a full, open, review of Ontario Hydro and all aspects of Ontario Hydro that all members of the committee feel are worthy of review. I certainly do not want to see us get bogged down in technical aspects of the demand-supply options study. I do not think that is going to be a very useful exercise.

1730

Some of the political issues and questions involved are important, such as the question of subsidies and the question of the appointment of the chairman of Ontario Hydro. I think perhaps looking at a number of the key players in the Ontario Hydro hierarchy would be a useful exercise, as would be a review of legislation governing Ontario Hydro to make it more accountable to the government. Those are the kinds of issues that we feel would be worth while and productive: parallel generation, cogeneration, those kinds of questions that are important and significant, that have to be dealt with and are not being dealt with in a very meaningful manner by Ontario Hydro currently.

If the government is indeed committed to following through, and we certainly do not have an awfully high degree of optimism based on past experience, we are going into this, giving it our best shot and hoping that the government will follow through on some very significant recommendations that the committee will come forth with within the year it has been afforded.

I do want to express one concern. I think I heard the government House leader indicating that the committee was going to be restricted to Canada in terms of travel. If that indeed is the intent, he may want to broaden that to the North American continent because of the significant use of nuclear generating capacity in the United States and the private utility companies established there, etc. He may want to take a look at that. Perhaps it is too restrictive, and the committee, hopefully, will have the flexibility to expand beyond the restrictions he has placed on it with his motion.

**Mr. Speaker:** Are there other members wishing to participate? If not, is it the pleasure of the House that Mr. Conway's motion carry? Carried.

**Mr. Brandt:** With reluctance.

Motion agreed to.

**Hon. Mr. Conway:** I say to the member for Sarnia (Mr. Brandt)—

Interjection.

**Hon. Mr. Conway:** I should say that I have tried to use the ordinary language but I want to assure my friend from Brockville and others that the House leaders are always pleased to receive travel requests from honourable members. I know that I speak for my friends the member for Nipissing (Mr. Harris) and the member for Windsor-Riverside (Mr. D. S. Cooke) in this connection. I think we are a pretty sensible and generous group and we entertain these—

**Mr. D. S. Cooke:** However, the education committee has a lot better chance with me.

#### SELECT COMMITTEE ON EDUCATION

**Mr. Speaker:** Mr. Conway moves that a select committee on education be appointed to consider and report to the House within one calendar year on the role of the formal elementary and secondary school system in the successful transition of young students to adulthood in Ontario; that the committee conduct its inquiry in two phases as follows: in the first phase the committee shall consider the role the school system plays in a multicultural and multiracial society in the choices and objectives of students in transition to adulthood, including how the elementary and secondary school system can assist students in shaping and fulfilling career and work objectives, factors in an information society which influence the young adults' choices of educational and training options and society's perception of those choices, and the role of parents or guardians in the school system and the transition of young students from secondary schools to the world of work or higher education; and in the second phase the committee shall consider the orientation of the school system to other educational and training opportunities both in the public and the private sectors and any other issues the committee may wish to consider; that the committee have the authority to release its report during any adjournment or recess between sessions by depositing a copy of the report with the Clerk of the assembly and upon the resumption of the meetings of the House, the chairman of the committee shall bring such reports before the House in accordance with the standing orders; that the committee have authority to sit concurrently with the House and during any adjournment or recess of the House, subject to the approval of the three party whips; that the committee have authority to adjourn from place to place within Canada; that a full Hansard service be provided for all of the proceedings of the committee; and that the committee be composed of the following members: Ms. Poole,



chairman, Mr. D. S. Cooke, Mr. Furlong, Mr. Jackson, Mr. R. F. Johnston, Mr. Keyes, Mr. Mahoney, Mr. Miclash, Mrs. O'Neill, Mr. Reycraft and Mr. Villeneuve.

Motion agreed to.

#### COMMITTEE SITTINGS

Hon. Mr. Conway moved that the following standing and select committees be authorized to meet during the winter adjournment in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the Assembly, to examine and to inquire into the following matters:

select committee on constitutional reform to consider the 1987 constitutional accord;

select committee on education to consider matters referred to in its terms of reference;

select committee on energy to consider Ontario Hydro affairs;

standing committee on finance and economic affairs to consider budget-tax reform, and the US-Canada free trade agreement (sessional paper 108) and to adjourn to Washington, DC;

standing committee on government agencies to review the operation of certain agencies, boards and commissions of the government of Ontario and to adjourn to Boston, Massachusetts, and Washington, DC, with respect to legislative oversight of government agencies;

standing committee on the Legislative Assembly to consider matters related to the procedures and administration of the House and to adjourn to Sacramento, California, to attend the National Conference of State Legislatures and to Victoria, British Columbia, to review restorations to the Legislative Building and rule changes;

standing committee on public accounts to review the 1987 annual report of the Provincial Auditor and to adjourn to Washington, DC, to meet with US officials on audit oversight function;

standing committee on regulations and private bills to consider regulations and the regulatory process; and

standing committee on resources development to consider and report on safety in Ontario mines.

Motion agreed to.

Hon. Mr. Conway moved that, with the agreement of the House leaders and whips of each party, committees may meet during the winter adjournment at times other than those specified in the schedule tabled with the Clerk today.

Motion agreed to.

#### ADJOURNMENT OF HOUSE

Hon. Mr. Conway moved that when the House adjourns today, it stand adjourned until Tuesday, April 5, 1988.

Motion agreed to.

The House adjourned at 5:38 p.m.

#### ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

##### FRENCH LANGUAGE SERVICES

**3 to 16. Ms. Martel:** Would the various ministers list all the advertising and communications programs and their budgets undertaken by the ministry designed to inform and acquaint Franco-Ontarians with the services which are or will be available as a result of the passage of the French Language Services Act, 1986? [Tabled November 16, 1987]

**Hon. Mr. Grandmaitre:** The Office for Senior Citizens's Affairs, the Office for Disabled Persons, the Ministry of Colleges and Universities, the Ministry of Education, the Ministry of Municipal Affairs, the Ministry of the Environment, the Ministry of Northern Development, the Ministry of Health, the Ministry of Labour, the Ministry of Skills Development, the Ministry of Community and Social Services, the Ministry of Consumer and Commercial Relations, the Ministry of the Attorney General and the Ministry of Treasury and Economics have not undertaken any advertising and communications programs designed to inform and acquaint Franco-Ontarians with the services which are available as a result of the passage of the French Language Services Act, 1986.

Ministries and offices of the government produce advertising and communications programs in both English and French. It is anticipated that special programs in French will be undertaken at the time when the statutory guarantee of the right to services in French as contained in the French Language Services Act, 1986, comes into force in November 1989.

##### UNCLASSIFIED STAFF

**17. Mr. Wildman:** Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each ministry of the provincial government during the current fiscal year? [Tabled November 19, 1987]

See sessional paper 161.

MINIMUM WAGE

**20. Mr. Mackenzie:** Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full- or part-time work status; (d) comparable figures for these questions for two years, five years and 10 years ago? [Tabled November 25, 1987]

**Hon. Mr. Sorbara:** In response to the above question, please find attached summary tables showing:

1. Numbers of men and women in the Ontario labour force earning the general minimum wage or less (both full-time and part-time) in 1984 and 1981 and total employment in 1979.

2. Number of persons earning the general minimum wage or less by industry sector for 1984, 1981 and 1979.

Information for 1984 is derived from a Statistics Canada 1984 sample survey of union membership. Information for 1981 is derived from a Statistics Canada sample survey of 1981 work history. These two surveys provide information which is roughly comparable. Information for 1979 is derived from a Ministry of Labour sample survey which was markedly different in method from the Statistics Canada surveys and is not directly comparable.

The Statistics Canada surveys include employees who are not under provincial jurisdiction and employees not covered by minimum wage provisions of the Employment Standards Act such as agricultural workers as well as persons who may not be employees under the legislation. The ministry survey did not cover such workers. As noted under table 2, the ministry survey also excluded some industries subject to the act.

The Statistics Canada surveys were supplements to the Labour Force Survey. Information for them was obtained by interview with those employed. Where necessary, the hourly wage was estimated from whatever information was provided by respondents. The ministry survey was based on information from employer payroll records.

Additional material from the 1984 and 1981 surveys which Mr. Mackenzie requested concerning male and female minimum wage employment by industry sector is not available from

present material which has been extracted from tapes of the two Statistics Canada surveys.

In October 1987, Statistics Canada undertook a further survey which is expected to provide comparable information to that available from the surveys conducted in 1984 and 1981. The ministry will be receiving material from this survey when it becomes available.

Table 1

1984: Numbers of paid workers earning at or below the general minimum wage (\$4 per hour)

	(000s)		
	Full-time	Part-time	Total
Male	54	78	131
Female	92	121	213
Total	146	197*	344

\*Survey estimation/rounding error

1981: Numbers of paid workers earning at or below the general minimum wage (\$3.50 per hour)

	(000s)		
	Full-time	Part-time	Total
Male	90	58	148
Female	111	100	211
Total	201	158	359

1979: Numbers of paid workers earning at or below the general minimum wage (\$3 per hour)

(000s)

Total: 125,000

Breakdown not available]

Sources: Statistics Canada survey of union membership 1984, survey of 1981 work history; Ministry of Labour survey of earnings hours of work and labour standards 1979.

Table 2

Ontario paid workers earning the general minimum wage or less by industry sector  
1984, 1981, 1979

	(000s)		
	1984 (\$4/hr)	1981 (\$3.50/hr)	1979 (\$3/hr)
Agriculture	8	22	—
Forestry	1	—	—
Fishing and trapping	—	—	—
Mines	—	—	—
Manufacturing	22	42	10
Construction	4	9	—
Transportation	8	8	—
Trade	99	92	45



Finance	11	21	2	not cover agriculture, construction, interprovincial transportation, utilities and administration. These industries are not generally under provincial jurisdiction. In addition some industries were not surveyed within the sectors surveyed: private households, savings and credit institutions, education and related services and hospitals.
Services	182	155	68	
Public administration	7	9	—	
Total (minimum-wage workers)	342	358	125	
Total (all paid workers)	3,717	3,810	1,907	

Sources: Statistics Canada 1984 survey of union membership (using 1980’s Standard Industrial Classification), survey of 1981 work history (using 1970 Standard Industrial Classification). Due to survey estimation methods and rounding, totals approximately agree with those in table 1. Estimated numbers from these surveys below 12,000 may not be statistically reliable.

Ministry of Labour survey of earnings, hours of work and labour standards, 1979 (using 1960 Standard Industrial Classification). Survey did

JUSTICES OF THE PEACE

**26. Mr. McLean:** Would the Attorney General provide a list of the justices of the peace appointed in Ontario since July 1985, including their names, addresses and regions? [Tabled December 2, 1987]

**Hon. Mr. Scott:** Attached is the ministry’s response to the above-noted question regarding justices of the peace appointed in Ontario since July 1985.

Justice of the peace appointments  
July 1985

County		Date of appointment
Algoma	Mrs. Ruth Eldridge 14 Centennial Avenue Wawa, Ontario P0S 1K0	17/10/86
Brant	Norman Mulloy 22 Patterson Street Paris, Ontario N3L 1Y9	08/08/86
Bruce	Mrs. Pauline Aguirre RR 3 Tiverton, Ontario N0G 2T0	01/04/87
	Robert Gay 204 Cayley Street PO Box 2142 Walkerton, Ontario N0G 2V0	01/04/87
Cochrane	Mrs. Theresa Hall 233 Tenth Avenue PO Box 1312 Cochrane, Ontario P0L 1C0	05/08/86
Durham	Alfred Lavender Lot 33, Con. 4 Orono, Ontario L0B 1M0	16/07/87
	Mrs. Linda McInerney 149 Alexander Street Oshawa, Ontario L1G 2C5	19/09/86

Haldimand	Richard Anderson 60 Main Street South Hagersville, Ontario N0A 1H0	20/06/86
Hastings	Frank Seemungal 54 Forin Street Belleville, Ontario K8N 2H9	24/04/86
Huron	Charles Campbell 81 High Street Seaforth, Ontario N0K 1W0	17/07/86
	Leonard Theedom 78 Rattenbury Street West Clinton, Ontario N0M 1L0	08/08/86
Kenora	Ms. Genevieve Echum PO Box 306, Res. #77 Longlac, Ontario P0T 2A0	16/07/87
	James Jacasum Band Administration Attawapiskat, Ontario P0L 1A0	18/12/86
	Robert Mekanak General Delivery Bearskin Lake Reserve Ontario P0V 1E0	16/07/87
	Mrs. Josie Necan Osnaburgh, Ontario P0V 2H0	22/07/87
	Owen O'Brien 12 Marie Street Ear Falls, Ontario P0V 1T0	30/01/86
Lanark	Graham McInnis RR 1 Golf Club Road Smith Falls, Ontario K7A 4S5	16/04/87
Niagara South	Mrs. Rosemary Belcastro 43 Highlands Gardens Welland, Ontario L3C 4R6	17/10/86
	Morley Kitchen 95 Loyalist Drive Welland, Ontario L3C 2X9	25/06/87
	ames Marshall 9 First Avenue Port Colborne, Ontario L3K 5N3	17/10/86
Ottawa-Carleton	Darrell Bartraw 70 Pamilla Street Ottawa, Ontario L1S 3K8	01/11/85



Oxford	Jacob Bruinewood 277 Brenda Crescent Woodstock, Ontario N4S 2R1	18/12/86
Peel	Ms. Betty Ann Fitzhenry 78 Main Street Brampton, Ontario L6W 2C6	17/07/86
	Ms. Meena Nadkarni 101 Lawton Boulevard Apartment 203 Toronto, Ontario M4V 1Z6	17/07/86
Perth	Ronald Schenk 319 Huron Road Sebringville, Ontario N0K 1X0	18/11/87
Peterborough	Michael O'Toole RR 6 Peterborough, Ontario K9J 6X7	18/12/86
Prescott-Russell	J. Francis Amyotte 31 St. Jacques Street PO Box 513 Embrun, Ontario K0A 1W0	16/04/87
	Fernand Tittley CP 7207 RR 1 Rockland, Ontario K0A 3A0	16/04/87
Renfrew	Joseph Noel 18 Hazley Bay Drive RR 1 Pembroke, Ontario K8A 6W2	01/04/87
Simcoe	Mrs. Mary Erichsen-Brown 90 Campbell Street Collingwood, Ontario L9Y 2K8	01/05/86
	Gilbert Robillard 82 Church Street PO Box 205 Penetanguishene, Ontario L0K 1P0	08/08/86
Stormont, Dundas, Glengarry	Lindy Latour 1300 Third Street East Cornwall, Ontario K6H 2G5	26/03/87
Sudbury	Mrs. Anita Blais 12 Brodie Street Sudbury, Ontario P3C 3M8	17/10/86
	Lewis Spracklin 37 Nepahwin Avenue Sudbury, Ontario P3E 2H6	30/07/87

	Donald Taylor	26/11/86
	9 Cobalt Street	
	Copper Cliff, Ontario	
	P0M 1N0	
Thunder Bay	Ms. Ann Donio	01/09/85
	PO Box 1072	
	Coleman Drive	
	Jellicoe, Ontario	
	P0T 1V9	
	Peter Patience	16/07/87
	PO Box 8000	
	Armstrong Station, Ontario	
	P0T 1A0	
Victoria-Haliburton	Douglas Nichols	12/02/87
	45 Regent Street	
	Lindsay, Ontario	
	K9V 3T9	
Waterloo	Mrs. Jean Laverna Craddock	26/11/87
	66 Melbourne Crescent	
	Waterloo, Ontario	
	N2L 2M7	
	Charles McEvoy	26/03/87
	39 Springhill Place	
	Kitchener, Ontario	
	N2E 2T2	
	Mrs. Sharon Woodworth	13/08/86
	366 Edwin Street	
	Kitchener, Ontario	
	N2H 4P6	

### RENTERPRISE PROGRAM

**36. Mr. Cousens:** Would the Minister of Housing provide a list of all loans, grants and approvals for loans or grants made under the Renterprise program, including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval? [Tabled December 3, 1987]

**Hon. Ms. Hošek:** I am tabling a report on the Renterprise program indicating the successful proponents, locations of projects, number of units developed, Renterprise funds provided and land values cited by the owners.

Land values were not considered in isolation from the overall development costs of the projects. Provincial and federal staff reviewed in detail the total costs to determine project viability and the amount of assistance required to produce rental rates within the current market. As well, the complete financial details had to be acceptable to mortgage lenders.

Renterprise provided some 2,000 families in 33 municipalities with affordable housing, up to 40 per cent of them with rents geared to their incomes. In particular, the program was successful in smaller and northern communities where most planned projects have been brought to completion.

Renterprise					
Proponent	Municipality	Total Units	Per Unit Financing	Total Financing	Land Total Value
Cityhome	Toronto	144	\$11,500	\$1,656,000	\$3,100,000
Co-op Housing Fed.	Toronto	24	9,000	216,000	360,000
Kescon Dev.	Keswick	36	7,000	252,000	600,000
Veltri & Son	Oshawa	51	5,400	275,400	300,000



Aldom Enterprises	Whitby	67	5,500	368,000	500,000
Sorichetti	Whitby	47	6,000	282,000	380,000
Aon Inc.	Peterborough	120	8,000	960,000	455,000
Freure Homes	Guelph	76	8,750	665,000	750,000
George Ariss	Guelph	24	9,000	216,000	75,000
Montrose Investments	Niagara Falls	58	5,600	324,800	150,000
Dorchester Mews	St. Catharines	82	6,000	492,000	480,000
Rosemount Builders	Cambridge	60	3,300	198,000	219,000
Freure Homes	Waterloo	110	8,750	962,500	425,000
Freure Homes	Kitchener	46	8,750	402,500	350,000
Freure Homes	Brantford	54	8,750	472,500	330,000
Honestus Inc.	Chatham	138	7,300	1,007,400	125,000
Fregonese	Windsor	16	8,000	128,000	95,000
D.W. Smith & Assoc.	Windsor	30	8,000	240,000	35,000
419535 Ont. Ltd.	Kingsville	12	7,300	87,600	75,000
673832 Ont. Ltd.	Wallaceburg	48	7,300	350,400	113,000
657681 Ont. Ltd.	London	60	6,000	360,000	150,000
Marond Investments	London	35	5,500	192,500	154,000
Belmont/Zaifman	London	29	5,500	159,500	160,760
Zaifman	London	32	5,500	176,000	313,500
Zaifman	London	64	6,000	384,000	366,450
Vandenburg & Hatch	Stratford	43	5,000	215,000	86,000
Norquay Homes	Goderich	40	8,000	320,000	110,000
653407 Ont. Ltd.	Woodstock	30	5,000	150,000	150,000
Menard Bros.	Cornwall	24	6,500	156,000	84,000
A. Mitton	Smiths Falls	30	3,000	90,000	85,000
S.W.M. Investments	Sault Ste. Marie	64	8,500	544,000	539,000
498599 Ont. Ltd.	Sudbury	31	9,200	285,200	80,000
Three Seasons	Sudbury	41	9,200	377,200	40,000
Bonik Inc.	Sudbury	43	5,500	236,500	210,000
Bonik Inc.	North Bay	55	8,400	462,000	235,000
722894 Ont. Ltd.	Timmins	42	7,400	310,800	411,600
Aurore Denomee	Hearst	6	9,200	55,200	43,560
E. & A. Denomee	Hearst	6	9,200	55,200	43,560
Loffred & Iazzolino	Thunder Bay	28	9,000	252,000	117,500
444348 Ont. Ltd	Thunder Bay	27	6,700	180,900	135,000
Leemac Group	Thunder Bay	20	9,000	180,000	108,000
Penner Properties	Thunder Bay	55	7,600	418,000	229,000
585914 Ont. Ltd.	Red Lake	24	8,700	208,800	92,000
444741 Ont. Ltd.	Red Lake	8	8,500	68,000	25,000
Peter & Lynda Scott	Sioux Lookout	4	8,000	32,000	27,000

### TRANSITIONS PROGRAM

**38. Mr. Jackson:** Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers and the estimated amount allocated to administrative costs? [Tabled December 3, 1987]

**Hon. Mr. Curling:** Transitions was announced August 4, 1987, and as a new program, \$800,000 has been allotted in transfer payments

for training in institutions of learning and for training in the workplace for the remainder of the fiscal year; \$841,000 has been allocated for program startup and administrative costs for fiscal year 1987-88.

### NOISE BARRIER

**75.Mrs. Marland:** Would the Minister of Transportation advise whether ministry staff have been instructed to prepare an engineering and design study for the construction of a sound barrier along the Queen Elizabeth Way, south side, from Erin Mills Parkway to Hurontario Street, on what date was the instruction issued,

what form did the instruction take, and would the minister provide a copy of that formal instruction? [Tabled December 30, 1987]

**Hon. Mr. Fulton:** 1. Ministry staff are at present carrying out design and other precontract engineering activities for the construction of two noise barriers on the south side of the QEW, one west of Hurontario Street and the other east of Erin Mills Parkway.

2. The normal process to have precontract engineering work undertaken on any project leading eventually to construction is to have such a project placed on the ministry's multi-year construction program based on need and relative priority. In case of noise barriers, the ministry establishes a three-year program from a prioritized list of candidate projects. The candidate projects' list is periodically reviewed and re-evaluated to confirm that the field and technical data are still current and relevant.

3. Historically, the annual funds allocated to the noise barrier retrofit program was about \$2 million. Last August the Minister of Transportation as part of the ongoing monitoring and review process decided to increase the annual allocation for noise barrier construction by an additional \$2 million. The additional funds allowed more projects to be brought forward from the long list of candidate sites already evaluated and prioritized on the ministry's multi-year construction program. The two QEW sites referred to above were among the relatively high priorities on the candidate list and the additional funds accordingly accelerated their programming and precontract engineering work. Hence, there was no specific instruction issued with regard to these projects and the regional staff initiated engineering work as soon as these sites were placed on the three-year noise barrier program.

#### PROVINCIAL POLICE DETACHMENTS

**77. Mr. Runciman:** Will the Solicitor General confirm or deny the rumours that the ministry is considering a proposal to close the Ontario Provincial Police detachment in the village of Westport and also the OPP detachment in Brockville? If the ministry is indeed considering such changes, what action has been taken to date in respect of these proposed changes? What assurances can the minister provide to assure the affected provincial police officers and residents of these respective municipalities that no such changes will be made, and if such changes are being considered, will the minister outline the rationale for such changes? [Tabled January 7, 1988]

**Hon. Mrs. Smith:** In order to accommodate changes in demographics and assure the best level of police service, OPP senior management review detachment locations and placement of staff on a continual basis. At the present time, several detachments, including Westport and Brockville, are being reviewed within the context of this ongoing study. The public will be kept fully informed, and ample opportunity will be provided for input from local officials before any decision to close a detachment is made.

#### TABLING OF INFORMATION

**83. Mr. Brandt:** Would the Minister of Industry, Trade and Technology provide the reasons for delaying for one full year the tabling of the December 1986 Angus Reid Associates Inc. report entitled Ontario Freer Trade 1986 Public Attitude Survey, which was tabled in the Legislature on December 16, 1987? [Tabled January 7, 1988]

**Hon. Mr. Kwinter:** Polling results are among sources and resources which may be consulted in the development of government policy. Depending on the complexity of the issues and the extensiveness of policy initiatives, considerable time may be required to analyse the results and for the analysis to be utilized in the formulation of effective policy.

#### POLLS

**84. Mr. Brandt:** Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Angus Reid Associates Inc. entitled Ontario Freer Trade 1986 Public Attitude Survey? [Tabled January 7, 1988]

**Hon. Mr. Kwinter:** The cost of the public opinion poll commissioned by the Minister of Industry, Trade and Technology and prepared by Angus Reid Associates Inc. entitled Ontario Freer Trade 1986 Public Attitude Survey is \$24,000.

**86. Mr. Brandt:** Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Goldfarb Consultants, dated February 1987 and entitled Attitudes Toward Sunday Shopping in Ontario? [Tabled January 7, 1988]

**Hon. Mr. Kwinter:** The Ministry of Industry, Trade and Technology has never commissioned a public opinion poll prepared by Goldfarb Consultants dated February 1987 and entitled Attitudes Toward Sunday Shopping in Ontario.



## INTERIM ANSWERS

**76. Mr. Cousens:** Hon. Mr. Elston—The answer will have to be gathered from all ministries. Accordingly, the information cannot be provided within the normal 14 days. An answer should be available by about March 29, 1988.

**78. Mr. Brandt:** Hon. Mr. Elston—The ministry will require more than the normal 14 days to provide the information required in this question. The answer will be available on or about April 18, 1988.

**79 to 82 and 85. Mr. Brandt:** Hon. Mr. Kwinter—A final answer will be forthcoming on or before April 15, 1988.

**87. Mr. Brandt:** Hon. Mr. Sweeney—A full response cannot be prepared within the time period outlined in standing order 88(d). A complete response will be provided on or about February 13, 1988.

## RESPONSES TO PETITIONS

## HELP CENTRES

Sessional paper P-8, re free trade agreement.

**Hon. Mr. Curling:** Ontario help centres are independently incorporated community agencies which on application to the Ministry of Skills Development may receive 50 per cent of their annual direct operating expenditures (to a maximum of \$75,000) in provincial grant. In other words, the ministry matches revenues raised by the centre usually in their own community. Since 1985, five of 20 centres have ceased operations. Three of the centres closed because of their inability to raise sufficient funds in their communities to meet their share of operating expenses. In each of these cases the provincial government met its financial commitment to the centre but lack of local support resulted in insufficient financial resources for continued operation. Two other centres closed because their sponsors withdrew affiliation.

The Ontario government will continue to support employment counselling/training information services for workers in locations where there is viable support and need for such services in the community.

In November 1986, a help centre was incorporated to provide services in the town of Lindsay. The centre applied for provincial assistance and on February 20, 1987, received a provincial grant of \$9,000. On February 27, 1987, the centre closed its doors and discontinued service. No further application for funding has been received by the Ministry of Skills Development

in respect of the 1987-88 fiscal year. Any nonprofit incorporated organization in Lindsay which demonstrates support for employment counselling services and shows evidence of financial stability and counselling competence may qualify and is encouraged to apply for funding to provide such services in the town of Lindsay.

## GOVERNMENT'S RECORD

Sessional paper P-10, re dissolution of the Legislature.

**Hon. Mr. Peterson:** I am responding to the content of your petition tabled in the Legislature December 23, 1987.

You will not be surprised to learn that I disagree with your assessment of my government's free trade stance, the level of government progress achieved in the First Session of the 34th Parliament, nor with causes of the delay on resolution 8 which extended the scheduled Christmas recess.

Free trade is the issue which dominated the last year and promises to dominate the coming months, culminating in a federal election in which all Canadians will have an opportunity to pass judgement on the agreement. Our party has articulated a point of view which has been consistent over that period of time and will remain so. In stating our concerns and our nonsupport, we have done so in a manner consistent with Ontario's place in Confederation. On an issue with great potential to create inflamed opinion, we have stated a point of view based on reasoned analysis, not harmful rhetoric or simple theory. Since the beginning of this debate, through discussions on softwood lumber at the first ministers' conference in Vancouver, consultations with the Prime Minister in Ottawa, and recently at the first ministers' conference in Toronto, we have been consistent. We support a Canada-first policy of multilateral trade enhancement and a reduction of interprovincial trade barriers, but any agreement must ensure that the hazards do not outweigh the benefits. We have expressed our view clearly and consistently that this free trade arrangement is not in the best interest of Canada.

Your views on the productivity of the government seems to negate the role which the opposition parties play in the day-to-day operation of the legislature. We see opposition input as vital to the delivery of good government to Ontarians.

Opposition input influenced the Legislature greatly in the past session. On the first two days

allotted for House business, the government gave support to opposition demands for emergency debates on free trade and housing. Special committees of the House were struck to allow members of all parties to travel the province and solicit views on free trade and the Meech Lake accord.

By session's end, 45 government bills have been introduced. Conflict of interest, Sunday shopping, municipal election reforms, trucking deregulation and the green paper on regulation 308 are examples of significant issues being dealt with by my government. Conflict-of-interest legislation has been referred to the standing committee on the Legislative Assembly where amendments from all parties are being con-

sidered through clause-by-clause analysis. We believe that opposition parties have a role and that it has been greatly exercised during this past session and continues now in committee.

Recent prolonged debate on the Legislature's resolution on free trade was a very trying time for our legislators. While I realize that typically MPPs have spent considerable time with their families during the Christmas period, we do not apologize for having allowed full opposition debate on this most important issue. The Legislature's resolution presented to both the Prime Minister and the United States is consistent with the views we have been expressing since this debate began and as I have outlined for you.



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Oriole L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)  
**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
**Grandmaître, Hon. Bernard C.**, Minister of Revenue (Ottawa East L)  
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)  
 Haggerty, Ray (Niagara South L)  
 Hampton, Howard (Rainy River NDP)  
 Harris, Michael D. (Nipissing PC)  
 Hart, Christine E. (York East L)  
 Henderson, D. James (Etobicoke-Humber L)  
**Hošek, Hon. Chaviva**, Minister of Housing (Oakwood L)  
 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
 Johnston, Richard F. (Scarborough West NDP)  
 Kanter, Ron (St. Andrew-St. Patrick L)  
**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
 Keyes, Kenneth A. (Kingston and The Islands L)  
 Kozyra, Taras B. (Port Arthur L)  
**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
 Laughren, Floyd (Nickel Belt NDP)  
 LeBourdais, Linda (Etobicoke West L)  
 Leone, Laureano (Downsview L)  
 Lipsett, Ron (Grey L)  
 Lupusella, Tony (Dovercourt L)  
 MacDonald, Keith (Prince Edward-Lennox L)  
 Mackenzie, Bob (Hamilton East NDP)  
 Mahoney, Steven W. (Mississauga West L)  
**Mancini, Hon. Remo**, Minister without Portfolio (Essex South L)  
 Marland, Margaret (Mississauga South PC)  
 Martel, Shelley (Sudbury East NDP)  
 Matrundola, Gino (Willowdale L)  
 McCague, George R. (Simcoe West PC)  
 McClelland, Carman (Brampton North L)  
 McGuigan, James F. (Essex-Kent L)  
 McGuinty, Dalton J. (Ottawa South L)  
 McLean, Allan K. (Simcoe East PC)  
**McLeod, Hon. Lyn**, Minister of Colleges and Universities (Fort William L)  
 Miclash, Frank (Kenora L)  
 Miller, Gordon I. (Norfolk L)  
 Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)  
**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)  
 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)  
 O'Neill, Yvonne (Ottawa-Rideau L)  
 Owen, Bruce (Simcoe Centre L)  
**Patten, Hon. Richard**, Minister of Government  
 Services (Ottawa Centre L)  
 Pelissero, Harry E. (Lincoln L)  
**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)  
 Philip, Ed (Etobicoke-Rexdale NDP)  
**Phillips, Hon. Gerry**, Minister of Citizenship  
 (Scarborough-Agincourt L)  
 Poirier, Jean, Deputy Speaker and Chairman of  
 the Committees of the Whole House (Prescott  
 and Russell L)  
 Pollock, Jim (Hastings-Peterborough PC)  
 Polsinelli, Claudio (Yorkview L)  
 Poole, Dianne (Eglinton L)  
 Pope, Alan W. (Cochrane South PC)  
 Pouliot, Gilles (Lake Nipigon NDP)  
 Rae, Bob (York South NDP)  
**Ramsay, Hon. David**, Minister of Correctional  
 Services (Timiskaming L)  
 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Rey craft, Douglas R. (Middlesex L)  
**Riddell, Hon. Jack**, Minister of Agriculture and  
 Food (Huron L)  
 Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)  
 Runciman, Robert W. (Leeds-Grenville PC)  
 Ruprecht, Tony (Parkdale L)  
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 (St. George-St. David L)  
 Smith, David W. (Lambton L)  
**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)  
 Sola, John (Mississauga East L)  
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 (York Centre L)  
 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
 Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)  
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 and Social Services (Kitchener-Wilmot L)  
 Tatham, Charlie (Oxford L)  
 Velshi, Murad (Don Mills L)  
 Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)  
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 Education (Wentworth North L)  
 Wildman, Bud (Algoma NDP)  
**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)  
 Wiseman, Douglas J. (Lanark-Renfrew PC)  
**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)  
**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)  
 Vacancy: London North

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 Nixon, Hon. Robert F., Deputy Premier, Treas-  
 urer of Ontario and Minister of Economics  
 and Minister of Financial Institutions  
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 Bradley, Hon. James J., Minister of the Environ-  
 ment  
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 and Communications  
 Sorbara, Hon. Gregory S., Minister of Labour  
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 Wong, Hon. Robert C., Minister of Energy  
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 Wilson, Hon. Mavis, Minister without Portfolio

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 Campbell, Sterling: assistant to the Minister of Mines (Sudbury L)  
 Chiarelli, Robert: assistant to the Chairman of the Management Board of Cabinet (Ottawa West L)  
 Collins, Shirley (Ms.): assistant to the Minister of Labour (Wentworth East L)  
 Cordiano, Joseph: assistant to the Minister of Intergovernmental Affairs (Lawrence L)  
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 Haggerty, Ray: assistant to the Minister of Consumer and Commercial Relations (Niagara South L)  
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Nixon, J. Bradford: assistant to the Minister of Financial Institutions (York Mills L)  
 Offer, Steven: assistant to the Attorney General (Mississauga North L)  
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Finance and economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. Ferraro; members, Messrs. Haggerty, Kozyra, Mackenzie, McCague, Morin-Strom, Neumann, J. B. Nixon, Pelissero and Villeneuve; clerk, Franco Carrozza.

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lock, Pouliot, Ruprecht, Smith, Sola and Swart; clerk, Tannis Manikel.

Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Wildman; members, Mr. Brown, Ms. Collins, Mrs. Grier, Mr. Leone, Mrs. Marland, Messrs. McGuigan, Miclash, Miller and Wiseman; clerk, Todd Decker.

Social development: chairman, Mr. Adams; vice-chairman, Mrs. LeBourdais; members, Messrs. Allen, Campbell, Cousens, Jackson, R. F. Johnston, McClelland, McGuinty, Mrs. O'Neill and Mr. Tatham; clerk, Franco Carrozza.

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Fawcett, Messrs. Harris, Morin and Offer; clerk, Deborah Deller.

Education: chairman, Ms. Poole; members, Messrs. D. S. Cooke, Furlong, Jackson, R. F. Johnston, Keyes, Mahoney, Miclash, Mrs. O'Neill, Messrs. Reycraft and Villeneuve; clerk, Lynn Mellor.

Energy: chairman, Mr. Carrothers; members, Messrs. Brown, Charlton, Cureatz, Mrs. Grier, Messrs. Matrundola, McGuigan, M. C. Ray, Runciman, South and Mrs. Sullivan; clerk, Tannis Manikel.

\*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.



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# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**  
Tuesday, April 5, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, April 5, 1988

The House met at 1:30 p.m.

Prayers.

## ONTARIO ATHLETES

**Hon. Mr. O'Neil:** Mr. Speaker, with your permission and that of the members of the Legislature, I would like to make a few short remarks concerning Ontario athletes in the Olympic Games and the World Figure Skating Championships. I understand that a member from each of the other two parties would also like to say a word.

**Mr. Speaker:** Do we have unanimous consent?

Agreed to.

**Hon. Mr. O'Neil:** I would like to express the pride that I am sure all of us feel in the achievements of Ontario athletes who competed in the Olympic Games in Calgary and at the World Figure Skating Championships in Budapest. The Olympians from Ontario accounted for six of the 18 Canadian top eight finishes.

Let me read their names: Christine Hough, Waterloo, eighth place pairs figure skating partner; Horst Bulau, Thunder Bay, seventh place, 90-metre ski jump; Michelle McKendry, Orangeville, seventh place, women's combined Alpine skiing; Denise Benning, Windsor, sixth place, pairs figure skating partner; and Laurie Graham, Inglewood, fifth place, women's downhill skiing.

Who will ever forget the exciting silver medal performances by Brian Orser of Penetanguishene and Ottawa's Elizabeth Manley, who, I might add, was born in my home town of Belleville.

In Budapest, the performance by our Ontario figure skaters was equally impressive.

I congratulate all of our Ontario competitors who gave their best, because by giving their best they showed themselves to be champions. I am sure they will inspire young people in our province to get involved in sports, stay involved and become the next generation of champions.

The excellent reputation of Ontario's athletes around the world keeps growing and I am pleased to report that my ministry is helping to encourage Ontario's increasing international leadership in winter sports. Just a few days ago, I announced

that my ministry will provide \$140,000 to the World Nordic Committee in the city of Thunder Bay to help in its bid to host the 1993 World Nordic Games. When Thunder Bay wins that bid, my ministry will provide nearly \$4 million towards the cost of hosting the games.

Our athletes are great ambassadors whether they compete inside or outside Ontario, and hosting major sporting events is another excellent way to show the world just how incredible Ontario really is.

**Mr. Farnan:** As the critic for recreation on behalf of the official opposition, it gives me great pleasure to join the minister and the government in commending all our Canadian athletes, particularly those athletes from Ontario, for their fine performances in the recent winter Olympics and world championships. Furthermore, I think we would commend all those organizers and volunteers, also from Ontario, who contributed to making the Calgary Olympic Winter Games such a success.

Like most members, I have always been thrilled to see our Canadian and Ontario athletes performing in world-class competition. As I watched the medal ceremonies, with our athletes on the podium and the Canadian flag being raised, it sent a shiver down my spine.

Being something of a Walter Mitty, I know from personal experience the tremendous psychological and emotional experience it is to have that medal draped around my neck, to feel the tear run down my cheek and to be so overwhelmed that I am barely conscious of the accolades of appreciation that pour over me in my moment of triumph.

I have simultaneously achieved a shutout and scored a winning goal in the gold medal hockey game. I have astounded the experts by jumping out of the crowd to replace an injured member of our downhill slalom team and gone on to win multiple gold medals. I have, on the same day, performed the remarkable feat of winning the singles figure skating event and the bobsled pairs, and I am not even sure if there was a second member of the bobsled team. I have achieved all these remarkable feats from the comfort of my armchair.

To have to move within minutes from the winners' podium to bathing my children is a very difficult adjustment to make, but with these athletes the difference is from imagining to the reality. They are an inspiration to us in hard work and in dedication. They are truly an example to our youth and therefore are to be commended. I think the effect they will have is not only in giving us tremendous pleasure and a tremendous sense of achievement on behalf of Ontario and Canada, but they are indeed planting the seeds for the future of Canadian victories and Canadian participation at the world level for years to come.

**Mr. McLean:** I would like to associate myself with the previous two speakers in congratulating those who took part in the 15th Olympic Winter Games. Calgary, Alberta, is certainly on the map of the world after that city hosted the 15th Olympic Winter Games in February and welcomed amateur sports people from 56 nations. The citizens of Calgary can justly be proud of the show they put on for us and for the way they represented Canada to the rest of the world.

On behalf of my party, I would like to extend warm congratulations to all of the amateur athletes who put their personal lives on hold for a number of years in order to prepare for the winter games. Whether they won or lost, they are all of the highest calibre because, just by making their country's Olympic team, they have shown they are very dedicated and special people.

We all witnessed the exploits of these champions who demonstrated world-class excellence in their sport and conduct consistent with the ideas of amateur sport. My congratulations go out to women's figure skating silver medallist Elizabeth Manley and Toronto's Tony Reis, who led a team of Portuguese-Canadian bobsledders for Portugal.

My congratulations also go out to a couple of constituents of mine, men's figure skating silver medallist Brian Orser and cross-country skier Angela Schmidt-Foster. As far as I am concerned, all of the amateur athletes who competed in Calgary turned in gold medal performances. In Budapest, the performances by our Ontario figure skaters were equally impressive.

**Mr. Farnan:** Mr. Speaker, on a point of—I do not know what sort of a point it is, but I do believe there has been a medal that has not been recognized and it was my oversight. That is Bob Hunter Jr., of Cambridge, whose pigeon placed third in the pigeon race at the winter Olympics, and I think he should be justly recognized.

## MEMBERS' STATEMENTS

### HOME CARE

**Mr. Allen:** The Peterson government has taken every opportunity in recent years to brag about the policy of home care rather than institutional care for seniors and disabled adults in this province. The theory is fine, but the reality can be devastating. People cannot get home care services they need and most places are turning clients away. Some areas of Hamilton, for example, have not been able to get homemakers' services since Christmas. Waterloo has 85 people on its waiting list.

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Despite government promises, it has held its funding increases to three per cent and four per cent, and the result has been that average homemakers in Ontario make \$5.50 an hour, with no guarantee of hours and no benefits. Compare that to Quebec, where homemakers are government employees and make \$10.81 an hour and receive benefits.

It is not surprising that half the homemaker agencies in Ontario have a turnover rate of more than 50 per cent and that 13 per cent of them have a turnover rate of more than 100 per cent. In Hamilton, it is 33 per cent. In Huron county, 23 homemakers resigned in a single month.

In August 1986, the homemaker organizations warned the government that they could not provide enough services while the government held its funding down. The government set up an interministerial committee to study the question. A draft report was issued six months ago, but there has been no word from the government since.

The question is, is the government really interested in providing first-class, vital homemaker services to seniors and disabled adults? The reality is it is creating a vulnerable service, a revolving door where the poor service the poor.

### LONDON NORTH BY-ELECTION

**Mr. Cureatz:** I stand today on behalf of the many people in this province who were cheered by the results of the London North by-election. The results in London North send a clear message to this government, I say to the Treasurer (Mr. R. F. Nixon) and to the government house leader, the member for Renfrew North (Mr. Conway), who is too busy trying to manipulate, once again, that back bench of the Liberal administration over there.

That message is that the government was elected to office to lead not by some whim or the



results of the latest poll it has commissioned, something with which I was familiar in a past life, but to lead by listening to the concerns of the people of this great province, listening to their dreams and aspirations and then planning policies to meet those concerns and those dreams.

The message was sent by the voters of London North because in a few short months the Liberal government has forgotten why it was given its mandate.

Let me remind the government to listen to the message it has been given by the voters of London North on behalf of all Ontarians, a message that says no to out-of-control expenditures, I say to the Treasurer; a message that says no to increased taxes; a message that says no to an education policy that leaves school boards scrambling for both resources and space, and perhaps most important, a very loud no to the government's plan to abrogate its responsibility in regulating Sunday shopping hours. I give credit to my New Democratic Party colleagues who will be bringing forward a resolution in that regard.

During the election campaign, the Premier (Mr. Peterson) promised the people of Ontario that the government would continue administering the Retail Business Holidays Act. The Premier promised that he would support the continuation of a common pause day. I tell the Premier that last Thursday the people of London North sent him a clear message and that message is to keep the promises he made and do his job.

#### ANNIVERSARY OF LEGISLATIVE BUILDING

**Mr. Ballinger:** As the member for Durham-York, I would like to bring to the members' attention that exactly 95 years ago yesterday there was a great celebration on the occasion of the opening of these Parliament Buildings on April 4, 1893. According to Eric Arthur, author of *From Front Street to Queen's Park*, people from all across Ontario flocked to enjoy the pageantry of the occasion and to see exactly what six years and considerable tax dollars had built.

At the conclusion of the opening ceremonies, the House then settled down to matters of business, but after all the excitement of the day, the members whiled away the afternoon by considering such matters as the control of drainage in swampy municipalities and the dehorning of cattle.

The original cost of the construction of these Parliament Buildings rose from \$500,000 to over \$1.3 million, and depressed citizens and mem-

bers of the Legislature took sides when it was found that the successful bidder, a Toronto firm, was set aside in favour of an Englishman from Buffalo, New York. It is claimed that the difference in price was caused by a procrastinating client as well as escalating prices for labour and material. It does seem that 95 years really has not changed the political process or the construction industry in Ontario.

The newspaper headline of the day read, "Legislators in Fairyland," and ironically, on the same page was an advertisement for Burdock's Blood Bitters, "a positive cure for constipation, headaches, bad blood, foul humours, rheumatism and jaundice, at one cent a dose."

I hope the members of the Legislative Assembly take the time to read Mr. Arthur's book.

#### MARTIN LUTHER KING

**Mr. R. F. Johnston:** Today marks the 20th anniversary of the assassination of Martin Luther King, the great civil rights leader in the United States. On seeing again that great speech, "I have a dream," I was moved on the weekend and felt that it was important to speak here in the House.

That dream has had mixed results in the United States of America, where poverty and second-class citizenship still hang around the black population of that country while, at the same time, they now have had mayors of major cities elected and now have the first bona fide candidate for the presidency of the United States brought forward in the name of Jesse Jackson.

Here in Ontario Mr. King was a role model for people such as Wilson Head, in his generation, and I think still inspires people of these times. But discrimination is still prevalent in this province. Just yesterday one of my staff looking for a nanny was told by an agency that she could have a nanny for \$12 an hour; if she would take somebody coloured, she could have one for \$6 an hour in Ontario.

I might ask this government on this anniversary, where is its employment equity legislation? Why has it not brought forward that basic affirmative action that the Reverend King asked for so often? Until it does that, his dreams will not be a reality for this generation of black Ontarians or future generations.

#### CANADIAN JUNIOR CURLING CHAMPIONSHIP

**Mr. Villeneuve:** I rise with a great deal of pride today. The Canadian Junior Curling Championship has just been completed in Vancouver, British Columbia, last week. I am most



proud to advise this Legislature that the rink representing our province was from Morrisburg, Ontario.

Four very fine young men, students at Seaway District High School in Iroquois, did this province very proudly indeed. After winning the right to represent this province in London, Ontario, early in March by winning seven straight games, they represented us very credibly in Vancouver during the week of March 28 to April 2. Although they did not win the Canadian Junior Curling Championship, they were the best junior rink in Ontario and represented us admirably.

On behalf of this Legislature, may I congratulate the following: skip, Daryl Morrell; third, Scott Lane; second, Gord Johnston, and lead, Chris Lane, along with their very dedicated coach, Sid Morrell. Gentlemen, we are most proud of you. Congratulations on representing this province very well in Vancouver.

#### COMMUNITY SAFETY

**Miss Roberts:** As members of the House may be aware, on Thursday, March 31, 1988, it is alleged that two individuals from the St. Thomas Psychiatric Hospital, while exercising the privilege of working in the community on a loosened Lieutenant Governor's warrant, forcibly took a 14-year-old girl from London and, after sexually assaulting her, left her for dead.

The community is repulsed by this incident and all steps should be taken to ensure that greater safeguards are taken to protect the community. I am informed by the St. Thomas Psychiatric Hospital that an internal review of this situation is in progress. In the balance between safeguarding the rights of the individual and protecting the public at large, we must be ever ready to review the process which may put members of our community at peril.

I call upon the government to review the process allowing certain privileges to persons on Lieutenant Governor's warrants and also the disproportionate number of Lieutenant Governor's warrants that are released into Elgin county.

#### EDUCATION FUNDING

**Mr. R. F. Johnston:** On behalf of the much abused property taxpayers of the city of Toronto and Metropolitan Toronto, I want to again put the lie to the Liberal commitment to educational reform in Ontario. This year, taxpayers in Toronto will be paying \$37 million more of the education costs than they were last year. The

government of Ontario is paying only \$46 million of a total \$790 million cost of education in Metropolitan Toronto today.

Why is it that this Liberal reform government is expecting senior citizens and property owners around this city, who are already having trouble making ends meet, to pay more of the cost of education, instead of all the people according to their ability to pay under a progressive tax system in Ontario?

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#### STATEMENTS BY THE MINISTRY

##### LEARNING SKILLS

**Hon. Mr. Ward:** I am pleased to inform members of the House today that six school boards have been given approval in principle to proceed with the development of new school-based learning initiatives. The projects will focus on how children learn. They will develop and extend effective teaching strategies. They will design effective techniques to assess student achievement and identify better ways of reporting student achievement to parents.

Lead school boards for the five English-language projects are the Peel Board of Education, the Middlesex County Board of Education, the Ottawa Roman Catholic Separate School Board, the Sault Ste. Marie Board of Education and the Lake Superior Board of Education. The lead for the French-language project is the Timmins District Roman Catholic Separate School Board.

Each of the six projects will receive up to \$750,000 over the next three years, once formal agreement with the boards is in place. This new initiative was announced last August and school boards were invited to submit proposals. Fifty-one proposals were submitted for selection.

These projects will pursue ways of strengthening innovative small-scale programs currently in use in different parts of the province and provide information about them to teachers and school boards across Ontario.

The projects are co-operative ventures bringing together the selected school boards with their partners in education, such as faculties of education, members of the community, the Ontario Institute for Studies in Education, teachers' federations and community colleges. Selection criteria were formulated by an advisory committee which includes representatives from the teachers' federations, consultants' associations, the Ministry of Colleges and Universities, superintendents, trustee and parent organizations, colleges of applied arts, faculties of



education, the Ontario Institute for Studies in Education and the private sector.

The committee will review the progress of the projects on receiving the annual reports that will be provided by the boards. The six projects will be monitored and supported by my ministry's regional office personnel in conjunction with representatives from the Centre for Early Childhood and Elementary Education.

Through the emphasis on sharing strategies to promote excellence in learning skills, new communication networks will be established and educators, children and their parents will benefit.

#### HUMAN RIGHTS CODE

**Hon. Mr. Phillips:** As Minister of Citizenship and minister responsible for the Ontario Human Rights Commission, a key aspect of my mandate is to promote equity and access for all Ontarians.

Our Human Rights Code, which prohibits discrimination on various listed grounds, is one of the most important means we have to promote and enforce equality. I am very pleased, therefore, to announce the proclamation on April 18 of three important Human Rights Code amendments dealing with access, specifically sections 10, 16 and 23. These changes were originally introduced as part of the package of amendments contained in Bill 7.

The amendments will ensure that the special needs of persons resulting from handicap or other prohibited grounds of discrimination will be reasonably accommodated by employers, landlords and others who provide goods and services to the public. The proclamation of these sections represents a significant step forward in our efforts to promote equal access, particularly for members of the disabled community.

Under previous provisions of the code, it was not considered discriminatory to fail to provide access to a building or facility which lacked the necessary physical features to allow such access. For example, a mobility-impaired person denied entry to a building solely because of the absence of a wheelchair ramp could not bring a complaint of discrimination on the ground of handicap to the human rights commission.

Under the sections that we will be proclaiming later in the month, such a denial of access will be illegal. The special needs of the person must be accommodated unless to do so would impose an undue hardship on the provider. Courts and boards of inquiry will determine what constitutes undue hardship, having regard to the factors of cost, outside sources of funding and health and safety requirements.

Once in force, these sections will help grant to the disabled persons access to goods and services fundamental to independence and dignity, goods and services which many of us now take for granted.

The proclamation will take place on April 18, 1988. It will celebrate the third anniversary of the coming into force of section 15 of our Canadian charter, which declares that every individual is equal before and under the law without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical handicap.

We have considered fully the question of regulations to sections 10, 16 and 23. We believe the boards of inquiry and courts will provide the most practical determination consistent with the practice of other jurisdictions in Canada.

The coming into force of the access provision addresses many concerns raised by disabled persons and other community activists and advocates, some of whom are present here today. You were involved in the discussions leading up to the introduction of these amendments and you have worked tirelessly to see them brought into force. I thank you all for your very important contribution.

I join with my colleagues the Minister without Portfolio responsible for disabled persons (Mr. Mancini), the Attorney General (Mr. Scott) and the chief commissioner of the Ontario Human Rights Commission to reaffirm today this government's pledge and the pledge of our ministries to assure the right of reasonable access and accommodation for all Ontarians.

#### VOCATIONAL REHABILITATION

**Hon. Mr. Sorbara:** I am pleased today to table the report of the Ontario Task Force on Vocational Rehabilitation Services of the Workers' Compensation Board. The task force was chaired by Maria Minna and Wally Majesky and was commissioned by this government in May 1986. Its mandate was to undertake an extensive review of the rehabilitation services provided by the Workers' Compensation Board and to report its findings to the minister.

The recommendations contained in this report are currently under active review by both the Ministry of Labour and the board. In general, the task force recommends advancing the concept of early intervention and a client-centred approach to the rehabilitation of injured workers. The government underlined its commitment to this process in last fall's speech from the throne.



As a step towards this goal, the WCB recently announced a three-tiered proposal for ensuring that high quality medical rehabilitation is made available as close as possible to the workers' own communities. The board is also phasing in its integrated service units, which are designed to promote faster and more efficient delivery of the basic claims service. The board is also reforming its administrative procedures and has created self-contained regional offices to serve injured workers in their communities.

The underlying objective, which is shared by the government of Ontario and the Ministry of Labour, as well as the WCB, is a workers' compensation system which is, above all, sensitive, humane, rational and efficient. While much more needs to be done to achieve this goal, I believe the board is now moving firmly in this direction.

## RESPONSES

### HUMAN RIGHTS CODE

**Mr. Allen:** I would like to respond to the announcement of the Minister of Citizenship (Mr. Phillips) and minister responsible for the Ontario Human Rights Commission with regard to the proclamation to come on the 18th of this month of the right to reasonable accommodation by the disabled community under Bill 7.

One sits back and wonders why it took this government so long to do this. It has been long in the promise. Our party was active in campaigning for its proclamation originally when the bill was itself presented to this Legislature. Still, the ministry and the government withheld their support.

There is no evidence in this document what the long struggle was all about that made it necessary to delay and delay that announcement. We raised it in estimates and we raised it in the House with some of the ministers responsible. All one can say is that when they finally happen, one is glad these things happen, but it seems to have taken a long time. One would not want to think the government was awaiting the opportunity for a suitable ceremonial occasion, such as the third anniversary of the equal rights section of the charter, to provide some accommodation for our disabled community.

I simply hope that under the boards of inquiry undue hardship will be looked at pretty rigorously, that those agencies, public services and private providers will not have an easy time of it in skipping out on what constitutes undue hardship and that the disabled community, which has lobbied for a long time for integrated

transportation services, for example, will not be put off longer by those agencies.

## 1400

We consider this kind of an instrument in the marketplace in the hands of the disabled community is worth virtually anything else that this government could do for it by providing it single and special services of one kind or another. They will be able to make their demands and get them satisfied, and that satisfies us.

## LEARNING SKILLS

**Mr. R. F. Johnston:** I would like to respond to the Minister of Education's (Mr. Ward) latest pilot-project, picayune announcement by saying that although it is welcome, I wonder why he does not use the time of this House to explain why he is increasing the tax burden on people in Toronto and Ottawa for the educational costs of this province; why he is not talking about why he has failed to assist communities such as Metro Toronto and Hamilton to adjust to the needs of Bill 30 that we have imposed on those communities; why he is not talking here about what he is going to do about the estimated \$1.7 billion of capital need that the school systems have brought forward to him; why he is not talking today about the election promises he and the Premier (Mr. Peterson) have broken around the lowering of class size; and why, instead of wasting our time with a \$750,000 announcement today, he has not narrowed the gap between the legislative grants for the elementary panel and the secondary panel.

Those are things of substance in terms of education that he could have been talking about today.

## VOCATIONAL REHABILITATION

**Mr. B. Rae:** In response to the comment of the Minister of Labour (Mr. Sorbara), I think it can only be described as astonishing that a government would be releasing in April a report the rest of the world had in August; that it would take the government this long to put together the final copy of a report that has been in the public domain, that has been discussed, that has been talked about, that has been seen and that has been reported in the media; and that it says this is somehow a new document.

Then the minister says that all the report really is about, in his words, is that it "recommends advancing the concept of early intervention and a client-centred approach to the rehabilitation of injured workers."



This report was the most devastating, compelling indictment of the Workers' Compensation Board and its failure to deal with the problem of rehabilitation that we have seen in our generation. It was a report sponsored by the government of Ontario. They denied its existence. They treated the report like some kind of bastard son whom they did want to see or take responsibility for. Then the minister has the gall to come into this House and say that somehow it is merely an administrative report.

Listen to the words of the report: "The experience of the task force in the past year was long, painful and emotionally wrenching. The tales of injustice, neglect and rejection recounted by the injured workers throughout the province were so harrowing as to leave the task force members disgusted and frustrated."

It is a pity that some of that human reality of the situation of injured workers did not find its way into the words, the heart and the statements of the Minister of Labour. We still have bureaucratic gobbledegook from the Minister of Labour and no response to what the report is saying.

Change the act. Make rehabilitation just as important as paying people a pension, and make sure that when people are injured they get a fair chance at getting a job.

**Mr. Speaker:** The member's time has expired.

**Mr. B. Rae:** That is the message of Majesky-Minna and that is the message that has been rejected by the government of Ontario.

Interjections.

**Mr. Speaker:** Order.

### LEARNING SKILLS

**Mr. Jackson:** Our party wishes to comment on the Minister of Education's (Mr. Ward) announcement today in the House. For the last three months educators, students and taxpayers have been waiting for something substantive to emerge from his ministry. What do we get from the minister? We get an announcement today, and it is highlighted by several key points which I might share with the House.

The minister's long-awaited announcement states this new initiative was announced last August. He actually has the nerve to come into this House and tell us about a project that he has already announced. He is going to start the spring session—with a litany of problems in education across this province—he is going to start with this announcement.

He indicates that the programs currently in use in different parts of the province are already operational. What is new? When the minister and I were to go to Hamilton and district schools as boys, he will recall that these kinds of programs were ongoing. I thought that is what school boards were expected to do; yet the minister comes into this House and announces that this is some sort of major commitment on the part of his government.

Surely to God the minister can come up with six more projects to assist, to correspond with the excellent programs that are going on in Ontario schools. The minister is the advocate for 1.9 million young people in this province, and if this is all he is going to start off the session with, he is in for a lot of trouble.

### HUMAN RIGHTS CODE

**Mr. Sterling:** I would like briefly to congratulate the Minister of Citizenship (Mr. Phillips) on the proclamation of these very important sections in the Human Rights Code. We will not be snarky about the timing of the announcement because we do not think that is important. We want to thank the people who have been involved in the drive towards these sections and to congratulate the government on proclaiming them now.

### VOCATIONAL REHABILITATION

**Mr. Harris:** I too want to comment on the very late release of the report of the Ontario Task Force on the Vocational Rehabilitation Services of the Workers' Compensation Board. I am intrigued, as the Leader of the Opposition (Mr. B. Rae) has stated, with some of the statements in the light of what has been said and what has been reported on this over the last nine months.

This is all the minister has to say now, nine months later, after they have reported. The minister hid the report for that period of time to try to come out with a response, and now he says it is under active review by both the Ministry of Labour and the board. He has had nine months to go through this glaring indictment of what is happening.

I am also intrigued with the words on page 3, where the minister says, "The underlying objective which is shared by the government of Ontario and the Ministry of Labour, as well as by the WCB, is a workers' compensation system which is, above all, sensitive, humane, rational and efficient."

With respect, there is not a legislator, other than the minister perhaps, there is not an injured worker, there is not an employer and there is no



one who is in the slightest way an objective observer of what is going on in the WCB system who would say that it is in any way sensitive, humane, rational or efficient. Saying these words, trying to put them in writing and trying to pretend that this is what is occurring in the whole system is truly a sham.

Surely that is the objective, and we all acknowledge that; but to give a statement on a report and not acknowledge that the report goes through each of these four items and points out how it is not sensitive, how it is not humane, how it is not rational and surely how it is not efficient; and that is the essence of what the minister's statement should be on this report and what he is tabling in the Legislature today?

Let us have the facts out there as opposed to some supposed rationale as to what the minister has done in the last nine months.

## ORAL QUESTIONS

### RETAIL STORE HOURS

**Mr. B. Rae:** I have a question of the Premier about Sunday shopping and Sunday working.

The Minister of Labour (Mr. Sorbara), together with the Solicitor General (Mrs. Smith), attended a rally in Toronto a short time ago, at which I was present and the leader of the Progressive Conservative Party was present. I heard with my own ears the Minister of Labour say the following, "I do not care if every single store in this province is open on Sunday." I wonder if the Premier can tell us whether that is now the official position of the government of the province with respect to Sunday shopping.

1410

**Hon. Mr. Peterson:** I am not sure of the context the honourable member is quoting. Let me say, in response to my honourable friend's question, the official position of this government is that we respect the local option to make a decision with respect to Sunday shopping. As I have said to my honourable friend before, if Sault Ste. Marie or Point Edward wants to be open, that should be, in our view, their choice. If Niagara Falls wants to be open, why should it not be able to? If Toronto or Kingston wants to close, why should they not be able to?

After all, this province is bigger than most countries in the world. I think there is a sufficient diversity here. I have sufficient faith in the local leadership to make decisions appropriate to that community. That is the position. I think it respects freedom of choice and local sensitivities and is a very sensitive and democratic way to approach the question.

**Mr. B. Rae:** We have the views expressed to the Premier, not only by over two thirds of the voters in the only constituency that has had an opportunity to discuss this question since he flip-flopped and changed his mind from the commitment he made on August 5, 1987, with respect to this question, we have the decision that has been taken by the Association of Municipalities of Ontario, which has said it does not want to have the local option. They do not want to exercise it. The Attorney General (Mr. Scott) said he was surprised by their reaction, which shows how out of touch the Attorney General is with respect to public opinion.

How does the Premier respond when he receives letters such as the one that my party has received from Janice Rothwell in Hamilton, who tells us: "I am presently going to night school in order to complete my education." She is a part-time worker in the retail trade. "It is difficult to get the evenings off work for school. If I refuse to work on Sundays, I will be forced to give up night school. Tell me, what bill will prevent that blackmail?"

She then goes on to say: "The need for stores to open on Sundays is supposedly because of a lack of time throughout the week. Well then, why does this not mean that there must also be a need for city hall, banks, insurance companies, gas companies, hydro, telephone offices, lawyers and all business and services to remain open seven days a week?"

**Mr. Speaker:** What was your question?

**Mr. B. Rae:** Can the Premier tell us why the right of Janice Rothwell to be with her family on a Sunday should not be a basic right contained in the law of this province and why she has to go on her knees to Hamilton city council instead of being able to count on the provincial government to speak up for her?

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Peterson:** I do not want to be unkind to my friend opposite, but I think he is being a little overly dramatic about this. There are police officers and hospital people who work on Sundays now. I think roughly a third of the retail force now works on some Sundays or others. Other people do that.

I am persuaded that systems can be worked out where there will be a lot of flexibility and individual choice in the situation. I have not seen the letter from Miss Rothwell, but the member can tell her I do not believe it is going to be the problem the member or she believes it will be.



**Mr. B. Rae:** The fact of the matter is that there are workers who are with their families on Sunday who will not be able to be there, thanks to the Premier's government having changed its mind and broken its specific promise. Sure, the Premier has a big majority—we all recognize that—but just what does it take to get him to recognize that he is making a mistake?

He has the views that have been expressed by the workers themselves, by the Association of Municipalities of Ontario and, quite decisively and clearly, in a by-election in his own backyard with respect to his position. Just what does it take for him to recognize that he is making a mistake, that there is nothing wrong in recognizing that he is making a mistake and that we can find a better solution by sitting down, all three parties, to find a better solution than the one he intends to impose on the people of Ontario?

**Hon. Mr. Peterson:** I appreciate the way my honourable friend feels about this issue, but it is not shared by all. His colleague immediately to his right, as I pointed out some time ago, has expressed the view that it may create job employment for some people, that the New Democratic Party should want to reassess its position, which it has not done in 15 or so years. In fact, it may be time to reassess it.

That was the member's view at the time. Perhaps his honourable friend has changed his view. But I do not think it leads to those dramatic consequences that my honourable friend points out.

Let me just give my honourable friend a quotation, because I think it sums up very well what we are dealing with here. It is a quotation from the House. It says:

"I do not think, Mr. Speaker, anything could be more flexible than that to meet the great requirements of the varying conditions in this province. It is strictly democratic. The matter is placed in the hands of the people themselves and the absolute control of their elected council. There is nothing wide open about this act. It does nothing to induce any community to change its pattern of life. It enables the people to settle their own affairs in their own way."

Mr. Speaker, that was Premier Leslie Frost on March 23, 1950. I think it says it all and says it very effectively. We respect local democracy.

**Mr. B. Rae:** After 44 years of Tory government, that is what the Premier is telling us, that that is what we have, a government, a majority government, that is not prepared to listen to the will of the people. That is precisely what the Premier is giving us today.

**Mr. Speaker:** And the question is to whom?

#### RENT REGULATION

**Mr. B. Rae:** I have a question for the Minister of Housing. I would like to ask the minister a question with respect to the rent review legislation which I think everybody who is living with it recognizes as a complete and utter disaster.

What is the minister's response to this fact? As of March 4, 1988, the latest figures from the commission show that there were 3,417 applications resolved as of the end of February, that the average increase in maximum rent for pre-1976 buildings was 13.4 per cent and that the average increase for post-1976 buildings is 13.6 per cent, which gives an average of 13.5 per cent.

The minister is on record in this House as telling us on November 17, "To the best of our experience in the past, the vast majority of tenants in Ontario will receive rent increases of 4.7 per cent or less in 1988."

**Mr. Speaker:** The question is?

**Mr. B. Rae:** Does the minister not realize that people are now paying three times as much as she told them they would be paying and that the system of rent review, which she has created and is responsible for in this House, is a system that simply is not working?

**Mr. Speaker:** Order.

**Hon. Ms. Hošek:** The vast majority of tenants in this province do not come under rent review in any given year.

**Mr. Wildman:** Why?

**Hon. Ms. Hošek:** Because they do not apply for rent review. The vast majority of tenants in this province will receive rents around the guideline, and that is the way that rent review protects a large number of the tenants in the province.

For those tenants who are subject to rent review because an application has come up because of the place in which they happen to live, the increases they face go through a due process. Some of those results are higher than I would like. I have been talking with the tenants who are affected by those results, and I take those very seriously. That is the reason we are monitoring the effects of the legislation very closely, in order to get a very clear sense of the direction in which it is going.

**Mr. B. Rae:** We know precisely in which direction it is going, and that is through the roof. That is what tenants know. What the minister is telling the House is that the only tenants who are getting shafted are the ones whose landlords



apply to the rent review commission. What kind of statement is that by the minister? The only tenants who are being shafted are the ones who are being affected by the law which was drafted by the party of which she is now a member.

The Royal LePage market survey of Canadian real estate in 1988 states:

"Royal LePage research has demonstrated that owners of residential buildings tend to trade among themselves because they understand the complexities of both the market and rent review legislation. Bill 51 will intensify this trading, says the team, because it has created an atmosphere in which a new owner is permitted to recover a variety of specified costs, including the cost of financing."

The minister was warned by us and by tenants—

**Mr. Speaker:** Question.

**Mr. B. Rae:** —as to the effect of Bill 51. Will the minister not now admit that Bill 51 is encouraging flipping, trading among landlords, and that is what is shafting the tenants of this province when it comes to rent review legislation?

**Mr. Speaker:** Order.

**Hon. Ms. Hošek:** The rent review legislation that we have is a package. It offers protection for tenants in a variety of ways. Through the Residential Rental Standards Board, it offers protection for tenants in association with the standards of their buildings. It also offers protection for tenants who are concerned with the question of conversion to suite hotels. There is a variety of facets of the legislation; it offers protection for tenants in a variety of ways.

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Interjections.

**Mr. Speaker:** The member for Oshawa would like to ask a final supplementary.

**Mr. Breagh:** How does the minister explain the process to tenants of a building on Ambleside Drive in Ottawa, owned by Osgoode Developments? The landlord asked for 30 per cent, the rent review board gave him 37 per cent and the landlord is now looking for a further seven per cent. How does one arrive at a 44 per cent increase when the minister stands in the House and says it will be 4.7 per cent?

**Hon. Ms. Hošek:** I have met with the tenants of Ambleside and I have listened to their concerns, which I share. I understand the concern and I know that the effect of a significant rent increase on people of fixed incomes is a very serious one.

Interjections.

**Mr. Speaker:** Order.

**Hon. Ms. Hošek:** Rent review is successful in providing protection for tenants across the province, but it can never be the only response by this government to the concerns of tenants. That is the reason we know we must increase the options of tenants in this province and increase our access to various forms of housing which suit their income needs. That is the reason this government has provided more housing that is affordable for people of a variety of incomes, and will continue to do so.

## RETAIL STORE HOURS

**Mr. Brandt:** My question is to the Premier. I hesitate to raise a question that relates to a certain activity that went on in a certain riding recently.

Interjections.

**Mr. Brandt:** All right. Since I am being provoked, I will simply identify the riding by saying that it is adjacent to the Premier's and point out to him that in a recent discussion with the people of that riding it was made very clear that the people of that particular area do not want the legislation he intends to bring in related to Sunday shopping. They do not want, and they have said no in a very clear and unequivocal manner, the municipal option that the Premier touts as being the answer to everyone's problems. They have also said very clearly that they want a common day of rest.

I would just simply like to appeal to the Premier on the basis of what the people of this province have indicated they want and ask him, first, why he is not listening, and will he bring in legislation that will protect Sundays for the people of Ontario?

**Hon. Mr. Peterson:** Let me say to the honourable member that I appreciate his interpretation of the events of Thursday last. I congratulate him and Mrs. Cunningham on their victory in that regard. He has every right to draw his own interpretation of that. Others may have different views of the situation. I am not sure; perhaps we have to take the message more effectively about the nature of the local option, because certainly if the people of London do not want to shop on Sundays no one is forcing them to have it and they will make that decision at the appropriate time.

My honourable friend must surely understand the local option when in his own constituency, the community of Point Edward is open, yet Sarnia is not. As a member of a party that has on



and off supported local option, would he not agree that this is reasonable in the circumstances and would he not want to stand in this House and say just because they have a local option does not mean that London or any other community will necessarily be open?

**Mr. Brandt:** I would like to remind the Premier that there are a number of very competent, able and, I think, credible spokesmen who do not share his view with respect to what happened in London North.

If I might, I would like to quote a former colleague of his, the former member of London North, who in commenting on the results of that election said: "The community is feeling very strongly about certain issues and they are saying they want to be heard on certain issues like Sunday shopping. The Liberals are just going to have to start listening a little more attentively."

My question to the Premier is, I think, a very simple one. I relate this to him on behalf of a former colleague who sat not more than 10 seats away from the Premier and who says why doesn't he start listening to what the people of Ontario are saying?

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** Let me thank my honourable colleague for that interesting piece of research. Indeed, I am interested in the news and the views of a former colleague of mine. The member may be interested in the views of a former colleague of his, who I will quote: "The Progressive Conservatives are prepared to stand up and be counted, to say we must change the law to greatly expand Sunday shopping in response to demand."

**Hon. R. F. Nixon:** Who said that?

**Hon. Mr. Peterson:** Larry Grossman on January 9, 1986.

Interjections.

**Mr. Speaker:** Order.

**Mr. Brandt:** I appreciate the quote the Premier has shared with me, and I will see that Mr. Grossman at Richardson Greenshields is given that quote. I am sure he can use it in his new occupation.

I would like to say to the Premier that probably never in the history of this province have so many groups come together with the intent of giving a message to the Premier of this province as clearly as they have. The Association of Municipalities of Ontario, many organized labour groups, church groups and a number of spokesmen have come before the Premier, and petitions by the

thousands have come in, indicating that the Premier is fundamentally changing the way of life of this province by bringing in the kind of legislation he proposes.

When will the Premier simply listen to what the people are saying, not only in London North but in London Centre and throughout this province?

**Hon. Mr. Peterson:** I do listen to the people and indeed on any initiative that a government undertakes there are people on both sides of the issue, and I respect that, but democratically elected members ultimately have to make decisions. My honourable friend, as a former minister of the crown, will recognize there are very few things that he did then that were not fraught with some controversy, and I am sure he understands that. Presumably he is not asking me just to follow where the loudest objections come from in government, because he is aware that many people have objections to lots of things done by this government or any former or other government.

As I said, I have to respect the views of former colleagues of his—he quoted mine, and I quoted his—Leslie Frost, one of his spiritual leaders; but let me quote a current colleague:

"The current legislation is quite obviously not meeting the needs and requirements of the people. What I would like to see is some broad new guidelines out of Queen's Park based on local wishes. I think local municipalities should and must have a good deal of say on this matter because they are where the action is."

That was the member for Stormont, Dundas and Glengarry (Mr. Villeneuve). I appreciate the advice I am getting from everybody.

Interjections.

**Mr. Speaker:** Order.

**Mr. Brandt:** The Premier's campaign slogan obviously is changing from "We did what we said we were going to do" to "We did what we bloody well want to do." That is the kind of attitude his government has. Let us take a look, if we might—

**Mr. Speaker:** The question is to whom?

**Mr. Brandt:** The question is to the Premier. I am not finished with him yet.

#### AFFORDABLE HOUSING

**Mr. Brandt:** The question is in regard to another matter. Since the Premier is so fond of quoting other individuals, I thought I would share with him today what was said by an



individual whom I am sure he has an intimate knowledge of, namely, himself.

In May 1986, in relation to Bill 11, he stated: "The legislation"—Bill 11—"was introduced as a short-term measure to combat the real crisis in terms of affordable housing in Ontario and will be replaced with a new housing policy after two years."

At the time the Premier spoke about the vacancy problem and the affordability crisis in this province, the Metro vacancy rate was 0.3 per cent. It is now 0.1 per cent and getting worse on a daily basis. The crisis is growing. I would like to ask the Premier, since it was in fact two years ago that he made this commitment to the people of Ontario, where is the new housing policy that he has promised and where are we going to see some advances from this government with respect to one of the most serious problems this province has faced in its entire history?

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**Hon. Mr. Peterson:** I do not disagree with my friend that it is a serious problem and, in some respects, it is a function of the great growth the Metro region in particular is enjoying at the present time. Shall I say in some ways it is an offshoot of some of the success that is being enjoyed here economically.

My honourable friend will be aware that we have at the moment in this province the most robust economy in the industrialized world. That brings many people into the Toronto area in particular, and other areas, and puts enormous pressure on the system. He is right and I do not for a minute minimize the problems that we face.

The minister has put her mind to this matter, as have many others in the cabinet. In the next budget, which will be coming forward in the not-too-distant future, I think the member will be seeing approaches and strategies to deal with this problem. I cannot for a minute stand in front of him and promise a cure to all the problems or the pressures that are happening in the housing market, but I think he will see some real progress in addition to what has happened already.

**Mr. Cousens:** The Premier made the assertion two years ago that there would be some action taken by the province to at least come up with a policy. Since that time, the housing crisis has worsened and in Metropolitan Toronto, as our leader has just said, it is now one person in a thousand who can find some kind of accommodation.

The former Minister of Housing (Mr. Curling) in the meantime came out with his assured

housing program and what he has done is assure a bigger housing crisis in this province.

Let the Premier answer this question if he would. What does he feel is an acceptable vacancy rate in Toronto and around the province?

**Hon. Mr. Peterson:** I am not in a position to answer that question. Obviously, one wants to see a situation where there is a sufficient mix of housing that people have an opportunity to get affordable housing. The member knows, coming from the community of Markham, which is a very high development area at the moment, and I know the cost of building today and he knows the pressures that puts on people. I can tell him we have dramatically increased the number of rent-geared-to-income situations. Building has been going on. Apartment rental unit starts are up.

I cannot stand in front of him and say that is enough or sufficient. I am sure he would not either. I do think we have made a major thrust forward and commitments have been given on the 102,000 units. I think he will see interesting new approaches to this matter as well that will take some pressure off the system.

I do not want to mislead my honourable friend. We are in a high-growth area. It is a problem that everybody has to be involved in, including his community of Markham and the other municipalities. We have to address it from a wide number of points of view. Hopefully, we can collectively make some impact, although we will not solve the entire problem.

**Mr. Cousens:** It is on the record now that the Premier has no goal as to what he is really aiming for in the vacancy rate in Ontario. What we really have at this point is no housing policy from this government in spite of the promise by the Premier close to two years ago. The word is now that the government is going to come out with a new rendition of Bill 11, the Condominium Act, the Rental Housing Protection Act.

At this point, landlords do not really know what to do. They cannot plan for the future. Tenants are getting eviction notices. Ontario needs direction on its housing policy today. Why will the Premier not announce today his plans for condo conversion and what his overall housing strategy will be for Ontario?

**Hon. Mr. Peterson:** As I have discussed with my friend, I think a number of strategies have been undertaken and a number of programs have gone forward. There are major new budgetary commitments in that regard and they will continue to address the problems. We are going to have to enlist the help of people like him to



persuade his own community to get involved in affordable housing programs, to make sure the municipalities assist us—because, obviously, we cannot do this alone—and to make sure that all communities are shouldering their fair share of the responsibility.

We hope to work with them because, as the members knows, we are giving municipalities a lot of new powers these days. I am sure we will all assist in building a co-operative, harmonious atmosphere to attack this problem together.

#### NONPROFIT HOUSING PROJECT

**Mr. Philip:** I have a question for the Minister of Housing. The Premier has just said that the government needs the help of the honourable members in this House to convince local municipalities to facilitate the building of affordable housing.

The minister will be aware that the Humbervale United Church in the city of Etobicoke has made an application to build a seniors' nonprofit housing project. I have provided the minister with letters written on legislative stationery by the member for Dovercourt (Mr. Lupusella), using his legislative stationery and his position to oppose that housing project because it comes close to the area in which he happens to have his own personal home.

My first question to the minister is this: has the minister received any submissions, be they verbal or written, from the member for Dovercourt opposing this particular housing project, which would be close to his own home, which happens to be located not in Dovercourt but in Etobicoke?

**Hon. Ms. Hošek:** Thank you very much for the question. One of the things we know is that the work the nonprofit sector has done in partnership with the federal government and the provincial government together in increasing the supply of affordable housing is one of the very most important parts of the kind of housing program that we envision.

We have been working actively with community groups to increase the supply of affordable housing and will continue to do so. I myself, as Minister of Housing, cannot support any attempt to block that in any way. We will continue to work with nonprofit groups to build housing all over the province and actively support their efforts.

**Mr. Philip:** The minister has not answered the question of whether or not she has received any submissions, either verbal or otherwise, from the member for Dovercourt in opposition to this

particular development. The minister has received the information that I have sent her, in which, on his letterhead, the member for Dovercourt says that he is speaking in opposition, not just as a citizen but as a member of the Legislature.

I ask the minister, does she approve of that kind of use for vested personal interest by the member for Dovercourt? Will she stand in the House right here today and say that she dissociates herself from that kind of action by the member for Dovercourt? Will she do that right now?

**Hon. Ms. Hošek:** I thank the member for sending me a copy of the correspondence which he sent me today.

As Minister of Housing, I am committed to increasing the supply of housing in this province that is useful for people of low income. That is the reason we have been working so actively with nonprofit groups. We will continue to do so. As Minister of Housing, I cannot support any initiative that would in any way stand in the way of appropriate development of nonprofit housing all over this province.

Interjections.

**Mr. Speaker:** Order. There are other members who would like to ask questions. New question, the member for Burlington south.

#### EDUCATION FUNDING

**Mr. Jackson:** My question is to the Minister of Education. Two weeks ago on Dateline Ontario, the minister responded to a question by Mark Kennedy about his government's commitment to return school funding in this province to the 60 per cent funding rate. At that time he pledged, and I quote, that he was "moving towards decreasing the costs borne by local taxpayers."

When his government took office, the provincial share of education cost was roughly at 48 per cent. As he can see by this graph, that rate has been constantly dropping ever since this government took office. How can he say he is moving towards the 48 per cent figure when, in fact, it has been dropping every year?

**Hon. Mr. Ward:** In responding to the member's question, I remind him that the general legislative grant regulations were released to school boards across this province at a time when inflation in this province is running somewhere in the neighbourhood of four per cent. Grants to school boards increased some 7.2 per cent for the coming fiscal year.

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At the same time, those GLG regulations contained a number of new initiatives, including \$16.8 million in new money for textbooks and money to put in place teachers necessary to reduce the pupil-teacher ratio in grades 1 and 2. As the member is aware, over the course of the past several months this government has come forward with many, many new initiatives. Indeed, I believe the 7.2 per cent increase in grants to school boards in this province reflects our commitment.

**Mr. Jackson:** With that response, the minister has not either made the grade or made the grid. He is still not on the grid to get him back to 60 per cent. The fact of the matter is that he is forcing more and more of the costs of education on to local taxpayers and local property taxpayers.

In his own backyard, in his own community where his own children are being educated, we are seeing increases in property taxes which go into double digits as a result of his pronouncements. The Hamilton Spectator of March 8 talks about the new budget for the Hamilton Board of Education, and I quote, Their budget "represents an 11.8 per cent increase in spending and an 11.3 per cent jump in taxes based on an average \$5,000 assessment."

The minister keeps talking about his promise but he keeps moving further and further away from it, at a cost to taxpayers—

**Mr. Speaker:** And the question is?

**Mr. Jackson:** My question is, when is the minister going to act so that municipal ratepayers are not stuck with the fact that he has broken another Liberal promise?

**Hon. Mr. Ward:** Quite frankly, I expected the member's supplementary to ask when this government would balance the budget, but in reply I just want to say to my friend that indeed the 7.2 per cent average increase that flowed to boards across this province does vary from community to community. Shifts in enrolment and changes in commercial and industrial assessment from community to community will have an impact.

It surprises me that the member uses Hamilton as an example, because as a result of the new equalization factors, I believe the city of Hamilton was, in fact, a beneficiary and its 7.2 per cent increase may go beyond that.

The member knows full well that school boards do have the opportunity through local enhancements to set their own mill rate to establish priorities above and beyond approved

expenditures. I know that when the member for Burlington South (Mr. Jackson) was a trustee, there were instances when those expenditures would be out of control, such as during his days on the board of education, but I do not believe that is the case today.

Indeed, it is a shared responsibility, and I think the level of commitment that is extended through the general legislative grants this year reflects our commitment.

#### ONTARIO FOOD TERMINAL

**Mr. Dietsch:** My question is for the Minister of Agriculture and Food. The minister might be aware that many concerns about the leasing of the units at the Ontario Food Terminal were discussed directly with the Ontario Food Terminal this past week.

At a recent hearing of the standing committee on government agencies, it was noted that the leases were granted in perpetuity—30 years, renewable for further 30-year increments—at the time of the food terminal's creation in 1954. This is another nightmare, I might add, from the 42 years of previous reign.

The board has little influence over the selection of tenants and it has no control over the influence of subleasing or the assignments of leases. This creates the opportunity for leaseholders—

**Mr. Speaker:** The question.

**Mr. Dietsch:** —to sell their leases at a handsome profit. The board has emphasized—

**Mr. Speaker:** Question.

**Mr. Dietsch:** —that it is bound by the provisions of the 1954 leases.

**Mr. Speaker:** Do you have a question?

**Mr. Dietsch:** I am getting to the question, Mr. Speaker.

**Mr. Speaker:** Do you have a question?

Interjections.

**Mr. Speaker:** Order.

**Mr. Dietsch:** What is the minister's response to the potential leaseholders who are unable to secure leases at the food terminal without paying exorbitant fees to assume the leasehold status?

**Hon. Mr. Riddell:** The member in whose riding the food terminal is located, the member for Etobicoke-Lakeshore (Mrs. Grier), raised this, in the last session I believe it was. I am also aware that the operations of the food terminal have been under review by the standing committee and, since it was brought to my attention, I



have raised the matter with the Ontario Food Terminal board.

I think the member is aware that the Ontario Food Terminal Act gives the board the full authority and power to run the food terminal. But I will say that after contacting the board, it has decided that restrictions should be placed on the subletting of wholesale units at the terminal to address the concerns regarding the leaseholder demands for these very stiff fees. The board has also decided that a limit should be placed on the number of units held by one wholesaler to prevent further concentration of business.

I also gave approval for additional units to be established at the food terminal so that there would not be that same demand for obtaining leases at these very stiff prices. I think maybe the board has the matter under control.

**Mr. Dietsch:** I appreciate very much the minister's answer in relationship to the new construction. I do feel, however, it is a matter of sincere urgency and I would ask the minister what he will do to speed up that construction.

**Hon. Mr. Riddell:** The board is well aware of my concerns. I am sure that in discussing this matter it will come to the conclusion that there need to be additional units built at the food terminal, and I will certainly be making further contact with the board, urging it to move ahead with the building of these additional units.

#### NORTHERN ONTARIO HERITAGE FUND

**Mr. Pouliot:** My question is to the Minister of Northern Development. The minister will no doubt recall that the Treasurer (Mr. R. F. Nixon), in his budget statement of May 20, 1987, made an allocation of a paltry sum—as I recall, it was some \$30 million out of a total budget of \$30 billion—to enhance the economic opportunities of northern Ontario. He called it the northern Ontario heritage fund to allow for diversification.

Will the Minister of Northern Development tell us how much money has been spent out of the \$30 million—it has been about 11 months since the announcement—and on what projects?

**L'hon. M. Fontaine:** Je remercie le député de lac Nipigon pour sa question. Premièrement, je dois lui dire que je n'ai dépensé aucun argent des 30 millions parce que le fonds n'est pas encore en place. Mais, par contre, je dois lui rappeler que durant les sept derniers mois, nous avons utilisé le Fonds du développement du Nord de l'Ontario pour remplir certains projets que nous avions en marche. Alors, le Nord n'a pas souffert.

Mais une chose que je dois lui dire, c'est que d'ici quelques semaines, avec l'aide du Trésor, du Conseil de gestion et de mon ministère, nous sommes en train de mettre une loi en place pour ce fonds. Je dois rappeler à l'honorable député qu'un projet de loi comme ça, ça ne se fait pas du jour au lendemain. Premièrement, j'avais dit aux personnes du Nord que je consulterais les conseils économiques, ce que j'ai fait pendant deux mois, pour trouver...

Interjections.

**L'hon. M. Fontaine:** Le député d'Algoma (M. Wildman) devrait s'abstenir de rire, puisque tout à l'heure il sera bien content d'avoir cet argent pour des projets dans son comté.

Alors, je vais continuer la réponse au député de lac Nipigon. Je dois lui répondre que ce projet sera en marche d'ici quelque temps. Je suis certain que lui-même, son parti et les gens du Nord seront satisfaits de la présentation que nous allons faire en Chambre d'ici quelques semaines.

**Mr. Pouliot:** The future can last a long time, especially when it comes to the declarations of the Minister of Northern Development. Let me ask a supplementary.

Le ministre nous a dit tout à l'heure que rien n'avait été dépensé. Il y a onze mois, moi, je l'ai cru. Il y a six mois, quand il a ajouté d'autres bureaucrates pour essayer de se faire comprendre, de faire dépenser ces miettes, encore une fois je l'ai cru. Son problème, et le problème des gens du Nord, est un problème de crédibilité.

Dozens of projects have crossed his desk from labour and the business community. He has no credibility. When is he going to start doing his job and finally give us the tools to enhance our economic future up north?

**L'hon. M. Fontaine:** Ma réponse à la question du député de lac Nipigon, c'est que je n'ai pas peur de me comparer avec lui sur le degré de crédibilité, puisque lui-même, il est bien content d'écrire des lettres à des ministres, il est bien content d'avoir de l'argent à dépenser dans son comté. C'est une chose que je ne lui reproche pas. Je reçois au moins quatre lettres par semaine de lui. En retour, je lui donne des octrois, et à tout bout de champ il veut savoir à quel endroit ira l'argent. Je le lui dis: 100 millions ici, 200 millions là, 20 millions là, 20 000 \$ là. Alors, qu'il demande donc au maire de Marathon et au maire de la ville de Manitouwadge combien d'argent ils ont eu de mon ministère cette année. Ils lui donneront peut-être la réponse à ces questions bêtes.

Je dois lui rappeler que le Fonds du patrimoine sera là, mais il y a un autre fonds qu'il oublie, c'est le Fonds du développement du Nord. On y a 100 millions qu'on continuera à dépenser pendant les cinq prochaines années; ça, il oublie ça. Il oublie, en plus, que nous avons des fonds dans la Northern Ontario Development Corp. qu'on dépense dans son comté; il oublie ça. On a le fonds pour les personnes âgées; il oublie ça. Il oublie tous les fonds. Il se concentre sur ce fonds qui, tout à l'heure, sera très satisfaisant pour le Nord.

### COMMUNITY SAFETY

**Mr. Runciman:** I have a question for the Minister of Health. I know the member for Elgin (Miss Roberts) is, and perhaps most members of the House are, somewhat surprised and disappointed that she did not make a statement in the House earlier today regarding the questions about the St. Thomas Psychiatric Hospital. I would like to ask the minister about the abduction from a bus stop in London last week of a 14-year-old girl apparently by two inmates of the psychiatric hospital. This vicious and outrageous crime almost resulted in the death of an innocent teenager. We cannot run the risk of any more vulnerable people being endangered.

Is the minister prepared to institute immediately a temporary, partial freeze on day passes for psychiatric patients held on Lieutenant Governor's warrants until a public inquiry is instituted and completed?

**Hon. Mrs. Caplan:** Let me express, not only to the member opposite who asked the question, but also to the member for Elgin, who has discussed this with me, and to all members of the House, my own deep concern about the recent events, this very upsetting incident, not only as Minister of Health, but also as a parent and a citizen of this province.

I want to assure the House that my priority, and I believe the priority of every member of our society, is that public safety must always be our main concern. The Ministry of Health has been in touch with the St. Thomas Psychiatric Hospital as well as the chairman of the Lieutenant Governor's Board of Review, Mr. Justice Callon. It is my understanding that both are reviewing the particulars of this case.

**Mr. Runciman:** That is great. Deep concern is the trademark of this government, not action. We see it in a variety of ministries. The system obviously failed in this case, resulting in grave danger to the public. For all we know, another abduction could happen at any time, committed

by people on Lieutenant Governor's warrants. In my community of Brockville, we have a man responsible for six deaths in Hamilton walking the street. How confident can people be? I am amazed that the minister does not see the need for action now. Without a temporary freeze until all the facts are in, what assurance can she give that a similar abduction will not occur this week to another young girl?

**Hon. Mrs. Caplan:** As I have noted to the member, review is under way and will be completed as soon as possible. It is important for him and for the people of this province to understand that the system in place is one mandated under the federal Criminal Code. Lieutenant Governor's warrants are appointed by a panel consisting of a judge, lawyers and psychiatrists as well as lay members of the board representing the public. They are an independent body which makes these decisions and recommendations to the Lieutenant Governor. The hospital involved then implements the provisions of those warrants.

As I have stated to the member, and I do share his concern, we are reviewing the particulars of this case. It is my fervent hope that in the future, as these decisions are made, the balance between the rights of the individual and the rights of society will result in public safety.

### CHANGE OF NAME

**Mr. Mahoney:** My question is to the Minister of Consumer and Commercial Relations. It was recently brought to my attention that under the new Change of Name Act there are two very serious concerns.

The first concern is on behalf of women in this province, who apparently may have their birth records altered upon marriage, if they assume the name of their spouse. I understand that the new birth certificate will show the married name with no reference to the maiden name.

Will the minister consider allowing the maiden name to appear on the birth certificate document along with the married name when that request is made by the applicant?

**Hon. Mr. Wrye:** I thank the honourable member for his question. I should say at the outset that the member would want it to be known that this process only takes place on the election of the newly married spouse to take the surname of her new spouse. That election having been made, in the past—the honourable member is correct—the birth certificate, the little card one gets, rather than the birth registration, would be returned with the new name.



I think the honourable member has made a good suggestion. We have been discussing that as well, that we would be prepared in the interim to change the birth certificates we are sending out so that where that election is made, the individual would receive not only the new surname, but also her original maiden name in most cases.

I should say as well, just very briefly on this issue, that there has been concern that even that does not go far enough. We have been simply administering the legislation within the Ministry of Consumer and Commercial Relations; it originally stood in the name of the Attorney General. I say to the honourable member, who, I know, has expressed his concerns to me, that we are prepared to have a new round of consultation and see whether even this dual name move is appropriate and whether it goes far enough.

**Mr. Mahoney:** Thank you. I appreciate the minister's answer. The second area of concern is the ability of a divorced spouse to apply for a name change for a child under 18 years of age without the consent of the other parent. There is some question as to whether notification is even required and what remedies might be available to the parent being so notified.

Will the minister ensure that, at the very least, anyone with a legitimate interest in that child receives notice of the intent to change the name of the child in advance of that decision being made?

**Hon. Mr. Wrye:** I think the honourable member asks a question which is actually, in terms of the Change of Name Act, being asked more frequently. I should outline to the honourable member and to the House the present situation.

At the outset, the agreement of any child over the age of 12, as I understand it, must be obtained, but in this situation the spouse who is not the custodial spouse must receive notification. Notification must be acknowledged in the application.

If the noncustodial spouse objects to the change of name application, it has been the policy of the deputy registrar, she advises me, to allow a 60-day period so that the noncustodial spouse can begin to take any court action that he or she deems to be appropriate.

I should just point out, now that this act has been in place for some period of time, that those who are going through divorce proceedings perhaps would wish to make sure that this is dealt with at the time custody is being discussed.

#### AUTOMOBILE INSURANCE

**Mr. Swart:** I have a question for the Minister of Financial Institutions on auto insurance.

Interjections.

**Mr. Speaker:** I wonder if we could have order. I would not want the honourable member to have to raise his voice.

**Mr. Swart:** I would not want to have to say either that this issue is not funny to a lot of the motorists in this province. I am sure the minister will recall that Gordon Chellew of the Insurers' Advisory Organization said about three weeks ago that they want "car insurance rates increased by more than 20 per cent immediately."

The minister would also know that just recently Statistics Canada reported that the net profits of the casualty and property insurers last year were the highest ever, 16 per cent higher than last year and three times as high as they were just in 1985.

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Simply, will the minister assure this House today that he will not permit any interim increase, any general increase in auto insurance rates prior to his rate review board completing a full hearing on any requests?

**Hon. R. F. Nixon:** No.

**Mr. Speaker:** Supplementary? Maybe there is no need.

**Mr. Swart:** By way of supplementary—and I think all the motorists of this province will realize how ominous his answer is as far as their rates are concerned—does the minister not really think that when the casualty and property insurers made \$1,164,000,000 profit last year, a 15 per cent return on equity—incidentally, that was 75 per cent higher than the average business in this province—he could give a promise to this House and the motorists that he will prevent any further increases until an in-depth examination is made?

**Hon. Mr. R. F. Nixon:** No.

#### CHILD CARE

**Mrs. Marland:** My question is to the Minister of Community and Social Services. Would the minister tell this House the status of the federal-provincial negotiations regarding the Canada child care act?

**Hon. Mr. Sweeney:** As the honourable member knows, we tentatively negotiated an agreement in early December 1987. As a result of that, increases with respect to direct grants were passed on to our nonprofit centres. I had indicated to the federal minister at that time that I wanted to do the same thing for commercial centres on April 1, but I would not be able to do so unless I got an assurance from him and from

his government that the money would flow as of April 1.

As a result of that, I sent a letter to the federal minister late in December and asked for a confirmation in writing on that. I have not yet received it. My staff has been in touch with his office and his staff, literally weekly since then. My understanding is that the federal minister plans to bring legislation before the federal House some time in June—at least that is his intent—but I cannot get a guarantee much beyond that. That is as far as I can go. We have clearly indicated what we want.

**Mrs. Marland:** The problem is that if the minister's staff is in touch with the federal ministry weekly, at the same sequence people are leaving the private sectors to work in the nonprofit sectors because the funding has been flowing through to them since January 1.

I would like to ask the minister if he has any plans, while we wait another two or three months for this Canadian child care act, to provide interim measures of funding for the commercial child care centres so that 50 per cent of Ontario's child care places are not being jeopardized by the unfair advantages which now go to the nonprofit sector.

**Hon. Mr. Sweeney:** I would share with the honourable member that, as a result of the initiatives we have taken over the last year or so, the share of the profit sector is now 40 per cent, down a considerable amount.

Yes, I have been in consultation with the profit sector and with its association. I have indicated clearly what I intend to do and also clearly to them the restrictions I am under. I have been obviously discussing this among my own staff and my colleagues and will continue to do so, but I am not able at this time to give the member a clear yes or no that I will be able to do anything very quickly.

#### LAND STEWARDSHIP PROGRAM

**Mr. Tatham:** My question is for the Minister of Agriculture and Food.

Wayne Gretzky has shown himself to be a real winner.

**Hon. R. F. Nixon:** Hear, hear. He comes from my riding.

**Mr. Tatham:** Good. We have a program in this province fighting soil erosion, looking after soil conservation. Soil is a magic potion, and if we do not look after the land, the land will look after us. If we abuse it, we lose it.

This program the government has, the land stewardship program, is doing an excellent job.

The problem is that I understand there are more people who want to use it but there is not enough funding. Can the minister please tell us what the situation is so that all members who want to use it can use it?

**Hon. Mr. Riddell:** I thank the honourable gentleman for comparing me with Wayne Gretzky.

**Mr. Ferraro:** You are both good stick-handlers.

**Hon. Mr. Riddell:** Mr. Speaker, if, in your busy schedule, you are able to follow government programs and policies, you will know that the land stewardship program is probably the most innovative program that has been devised anywhere in a long time. The purpose of that program was to stimulate interest in good land stewardship. It was not for the financial duress of many farmers, which we have been trying to address. Soil degradation, much of it caused by soil erosion, is probably one of the greatest problems we have in the agricultural community of Ontario today.

We introduced the land stewardship program. It has been oversubscribed, particularly in southwestern Ontario. There has been tremendous interest in this program, but we felt the Ontario Soil and Crop Improvement Association and the local committees could best administer the program. They have to look at all these applications, and it may well be that they are going to have for this year to downsize the projects which farmers are trying to carry on in order to preserve the soil.

We are tremendously impressed with the response that we have received to this program. If we find it is going to meet the needs, the chances are I will be visiting the Treasurer (Mr. R. F. Nixon) at some time to see what we can do.

**Mr. Tatham:** If our friends across the line sign the free trade agreement, what impact will that have upon a land stewardship program?

**Hon. Mr. Riddell:** There is no question that we have all of our programs under review because of the impending free trade agreement. There is no question the Americans are going to use their trade laws and they are going to countervail our products if they feel our products are going to injure their markets, but I do not believe they will look upon the land stewardship program as one that is countervailable, mainly because it is not a targeted program. It is open to all farmers.

As well, it is taking land out of production, and that is something we have to do in Canada. They



have to do it in the United States and they have to do it in the European Community. We have a world surplus of food and all of these food-producing nations have to bring their production under control. I doubt very much if the Americans would look upon the land stewardship program as one that they would countervail in order to establish injury to their market.

#### RETAIL SALES TAX

**Mr. Laughren:** I have a question for the Treasurer. In view of the length of time, I will make it very short. In view of the fact that the Treasurer has been dropping hints across the province in the last month or so that there would be an increase in the retail sales tax, can the Treasurer assure us here today that this is nothing more than a nasty rumour and that he would have nothing to do with increasing the most regressive of all possible taxes?

**Hon. R. F. Nixon:** I cannot give the honourable member any assurance other than that the Treasury is examining a wide variety of alternatives involving cost control, improving the productivity of the present tax base and seeing where, on a basis of fairness and equity, we might possibly expand that base in the event that it is our judgement that we need more revenue. The basic phrase, I am sure you would agree, is "fairness and equity."

#### PETITIONS

##### EDUCATION

**Mr. Adams:** I have a petition from a group in Peterborough that favours amalgamating the two boards. It reads as follows:

"Whereas we, the undersigned, believing the present dual system of school boards, public and separate, to be out of date with modern thinking, liable to promote dissension between religious factions and is expensive and wasteful, we petition you to amend legislation concerning education to create one consolidated school system under which all schoolchildren attending state-funded schools get equal benefit of education paid for by equal taxation throughout the province, with provision being made for religious instruction within such schools as and where required."

1510

**Mr. Speaker:** I would like to remind all members that the House is in session. Would you please refrain from having private conversations?

#### RETAIL STORE HOURS

**Mr. Cousens:** I have a petition from 43 signers in the great riding of Markham who have expressed disapproval of wide-open Sunday shopping.

"We, the undersigned, urge the province to reverse the decision to turn the issue of Sunday shopping to the municipalities.

"It is also necessary to protect the right of freedom of religion to believers, including the right to gather with their community of faith on its common day of worship. Such a law should provide protection for all believers, including those who worship on Saturday and Friday. The right to a day of rest each week and to freedom of religion are guaranteed under international law which Canada is pledged to uphold.

"The choice to retain Sunday as the common pause day in Ontario is a practical option reflecting the practical reality that the largest number of worshippers still gather on Sunday. By retaining Sunday and strengthening protections for Saturday and Friday worshippers, we would protect the largest number of people from denial of their right to freedom of religion. Wide-open Sunday shopping would undermine the wellbeing of the family and jeopardize for many the basic right to a day of rest and recreation."

#### NATUROPATHY

**Mr. Breaugh:** I have two petitions this afternoon. The first is addressed:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

That one is signed by 162 members of my riding.

#### RETAIL STORE HOURS

**Mr. Breaugh:** The second is addressed:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

That one has 38 signatures on it.

#### GREENACRES HOME FOR THE AGED

**Mr. Beer:** I have two petitions to present today. The first is signed by 136 individuals from York region who are concerned about the future of Greenacres Home for the Aged. This petition states:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the constitutional right of all senior citizens to have access to a health care facility that is appropriate to their needs;

"And whereas Greenacres Home for the Aged in Newmarket, Ontario, is one of the few health care facilities that can safely provide care for the wandering, cognitively impaired older person;

"We petition the Ontario Legislature to call on the government to resolve the issue regarding the future operation of Greenacres in order that admissions can begin immediately to alleviate community stress resulting from long waiting lists for long-term care facilities and decrease the number of inappropriate accommodations in acute care hospital beds of cognitively impaired elderly."

#### NATUROPATHY

**Mr. Beer:** The second petition is signed by 122 individuals who are concerned about the naturopathy profession and it states:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

#### AVORTEMENT

**Mr. Pope:** I have a petition signed by over 600 residents of the communities of Timmins,

Iroquois Falls, Black River and Matheson in the riding of Cochrane South, addressed to the Legislative Assembly of Ontario, which reads as follows:

« Attendu que le 28 janvier 1988, la Cour suprême du Canada a aboli la loi sur l'avortement parce que considérée en opposition à la Charte des droits et libertés;

« Attendu que cette décision laisse les enfants à naître du Canada sans aucune protection légale;

« Nous demandons à votre gouvernement:

« a) de rédiger une loi donnant aux enfants à naître les mêmes droits à la vie et la même protection que tout autre membre de notre société;

« b) de passer un amendement à la section 251 de la Charte des droits qui outrepassse la décision de la Cour suprême, jusqu'à ce que la nouvelle loi entre en vigueur.

« Nous croyons que votre gouvernement a à coeur le respect de la vie de tous les Canadiens et nous sommes assurés que vous agirez rapidement et sûrement pour le bien de toute notre société canadienne. »

#### RETAIL STORE HOURS

**Mr. Ferraro:** I have two petitions to present today. The first petition reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to the Ontario government's plan to give responsibility for Sunday shopping to the municipalities because we feel it will result in wide-open Sundays. We request that the Ontario government pass legislation to ensure the people of Ontario a common pause day."

It has 5,348 signatures from the Guelph and Fergus area and 1,910 signatures basically from the Hamilton area, for an aggregate amount of 7,258 signatures.

The second petition I have is signed by 131 fine people belonging to the Guelph-Wellington Seniors Association and is essentially objecting to the same matter. They do not want or desire wide-open Sunday shopping.

#### AVORTEMENT

**M. Morin:** J'ai devant moi une pétition de 700 commettants de la circonscription de Carleton-Est qui se lit comme suit:

« Nous, soussignés, déclarons notre objection à ce que l'avortement puisse être obtenu sur demande ou d'une manière qui soit subventionnée par les gouvernements et réclamons des



gouvernements des niveaux provincial et fédéral à prendre toutes les mesures qui s'imposent pour préserver la vie des enfants à naître. »

#### RETAIL STORE HOURS

**Mr. Pollock:** I have two petitions. One reads: "To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Our very strong opposition to opening of retail stores for Sunday shopping."

It is signed by the executive of the Belleville Presbyterian United Church Women.

#### RECREATION TRAIL

**Mr. Pollock:** The other petition reads:

"To the Lieutenant Governor and members of the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are in favour of the former Canadian National railway line known as the Marmora subdivision being developed as a recreation trail."

It is signed by 639 people.

#### NATUROPATHY

**Mr. Furlong:** I have two petitions. The first reads:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

It is signed by 94 residents.

#### RETAIL STORE HOURS

**Mr. Furlong:** The second petition reads as follows:

"We, the undersigned, wish to express our opposition to changes in Sunday shopping laws which threaten to transform Sunday into just another day for doing business."

It is signed by 34 members of the St. Andrew's Presbyterian Church in Whitby.

### REPORT BY COMMITTEE

#### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr. D. R. Cooke from the standing committee on finance and economic affairs presented the committee's report.

**Mr. D. R. Cooke:** I would like to compliment members of all parties who worked very hard with a very short period of time and those who prepared the 62 exhibits we had for our consideration. I hope we have achieved a valuable consensus for the Treasurer (Mr. R. F. Nixon) when he considers it with regard to his budget, which I expect he will bring down later this month.

The committee recommends: that moneys be spent to improve Ontario's competitive position in maintaining our infrastructure in schools, both primary and secondary level; that capital grants and assistance to school boards, as well as grants to universities and colleges, be increased; that with the help of the federal government, we spend moneys to improve our sewer and transportation systems; that we improve our housing funding; that we improve our funding for the disabled and give more help to low-income residents.

We also recommend that this be done in a fiscally responsible manner. I can report that the majority of the committee was of the view that taxes may have to be raised. The third party issued a dissenting opinion on this point.

1520

### MOTIONS

#### COMMITTEE SITTINGS

Hon. Mr. Conway moved that the select committee on constitutional reform be authorized to meet on the morning of and following routine proceedings on Wednesday, April 6, 1988 and on Wednesday, April 13, 1988.

Motion agreed to.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Conway moved that notwithstanding standing order 71(h), requirement for notice be waived with respect to ballot items 11, 12, 13 and 14.

Motion agreed to.

### INTRODUCTION OF BILL

#### MUNICIPAL ELECTIONS STATUTE LAW AMENDMENT ACT

Hon. Mr. Eakins moved first reading of Bill 106, An Act to Amend the Municipal Elections Act and the Municipal Act.

Motion agreed to.

**Hon. Mr. Eakins:** This legislation will implement the changes to the local government electoral process which I outlined to the members in my statement of December 10. The bill will establish a new recount process, place limits on contributions and expenses for local government candidates and make mandatory the disclosure and reporting of campaign contributions and expenses.

In addition, the bill will improve accessibility to the polls for all voters, especially for seniors and persons with physical disabilities and those who are physically challenged.

The legislation will also make an additional change. I am pleased to advise the members that this bill will enable municipalities, school boards and public utilities commissions to adopt a rebate system for local campaign contributions. By providing this authority, we will for the first time be treating candidates for election to local office on an equal basis with their provincial and federal counterparts.

This optional rebate system will, I believe, encourage campaign contributions from a broader cross-section of the public. By making more campaign funds available, it will also encourage a greater number of individuals to seek local office and thus further strengthen our system of local government in Ontario.

#### MOTION TO SET ASIDE ORDINARY BUSINESS

**Mr. B. Rae** moved, pursuant to standing order 37(a), that the ordinary business of the House be set aside to discuss a matter of urgent public importance; that being the decision of the Liberal government of Ontario to reverse its pre-election promise to prohibit wide-open Sunday shopping in Ontario and the resulting anger felt by workers, store owners and their families because they will be unable to spend time together.

**Mr. Speaker:** Notice of the motion was received in my office in the appropriate time and therefore is in order. I will listen to the honourable member, the Leader of the Opposition, as well as representatives from other parties for up to five minutes each.

**Mr. B. Rae:** My reason for moving this motion today was to call as much attention as we are allowed in parliamentary terms to what I think amounts to a flagrant breach of promise by the Liberal Party and the Liberal government with respect to its own election mandate.

As I said earlier in the question period in this House, we all recognize the size of the Liberal

majority. We all recognize that the government won itself a very substantial mandate back in September. But I want to point out to members that the mandate was based, at least in part, on the commitment by the member for London Centre, who is now the Premier (Mr. Peterson), that in fact his party and government would respect the desire of an all-party committee and the will of this House that there be a common pause day in the province and that that day be Sunday.

That was a commitment the Premier made in August 1987. That is a commitment he has broken. That is a commitment he has flagrantly abused, and we think that in itself is worthy of an emergency discussion in this House.

**Mr. Speaker,** I want to point out to you that even as late as Thursday, the Premier made it very clear that he was not going to change his mind. He stated on March 31, 1988: "The decision has been made." He told the Association of Municipalities of Ontario—I am quoting from the *Toronto Star*—"We have a province that's bigger than most countries, and we are making our decision."

**Mr. Speaker,** I want to point out to you not only the results of the by-election in London on Thursday but also the opinion as expressed by the Association of Municipalities of Ontario, by literally hundreds of churches and church organizations across this province, by small businesses of all kinds speaking through various associations and individually, by employees speaking through their associations and trade unions and individually and by recent assessments of public opinion showing a very substantial change, even from the opinion polls that took place as recently as six months ago.

The public does not want local option. The public does not want human rights and labour legislation to depend on every municipal council in this province. The people of this province do not want a situation where stores are, as a matter of course, open on Sunday. They want to have legislation in place which will protect them.

That is what the Premier agreed to in August. That is what the Premier said he would do before the election, and we think it nothing short of disgraceful that he would turn around and say: "That may have been the case before the election. Now that I've got my majority, I will do whatever I want and whatever I please." That is a shameful proposition. It is a shameful thing for a government to do.

I know there are those in the government benches who do not think this is a major problem.



I know there are those in the government benches who have spoken publicly saying, "You know, once it was streetcars and once it was movies." I remember reading with interest the comments of the member for St. Andrew-St. Patrick (Mr. Kanter). The Premier himself has said it is the sign of a modern country that these things can happen. All I want to say is, this is not a religious issue. The member for St. Andrew-St. Patrick completely confuses himself and the public if he thinks it is a religious issue. It is a question about the priority that we give to commercialism and the priority that we give to family.

I am the first to admit that this will not be the end of civilization. What I do think is that if we can choose to support and protect families, that is what we should be doing, and every time we have that choice to make, we should, if we possibly can, be passing laws and taking measures to support and protect the family and not be passing laws and taking measures that will drive people apart.

I just want to close with a letter that I received the other day from Janice Rothwell, a letter I quoted earlier. I want to end with what she simply says.

"In summing up my letter, I just want to point out that my reasons for not doing business on Sundays are not religious but family. Religion does not have to be practised on a specific day, but family is every day, and Sunday is the only day we all can count on being together. Please make your decision intellectually and with your heart and not your wallet."

That request comes from an ordinary family member in Hamilton.

**Mr. Speaker:** The member's time has expired.

**Mr. B. Rae:** I think we should be supporting Janice Rothwell and her family and thousands of other families throughout the province.

1530

**Mr. Harris:** We are very supportive of the resolution that has been put forward for an emergency debate today. We think not only that the problem is one of urgency and of significant importance that should be debated, and debated today, but also that there are two things at stake here, two things that this government, if it pursues in this changed position from the election to now, is going to lose out on.

One is a very serious problem. That is one of credibility, credibility of all politicians. For when one party says one thing and campaigns on one thing, gets the mandate it seeks and then completely ignores that and goes the other way, it

causes a credibility problem not only for that Premier, that party and the government of the day, but it causes a credibility problem for all legislators and for people of all parties. That concerns me, particularly at a time when credibility of politicians is not at an all-time high in this province, this country or North America. For that reason alone, it is a very serious problem and one I think the government should look at.

Second, there are the issue and the merits of the issue itself. As the leader of the New Democratic Party has said, this is not a religious issue. This is an issue of family, of family values, if you like. In a very fast-changing world, in a very difficult time, the meaningfulness of family, the opportunity for families to cling to whatever they can together, is diminishing and diminishing.

I agree very strongly with something the leader of the New Democratic Party said, and that is that we should be looking at a number of issues, not just this one. We should be looking at policies and saying what does this policy do to the family? I do not think anybody would say this is going to be good for the family, that this is going to strengthen the family. In fact, it will go a long way to do just the opposite.

There is a problem. The debaters can take some time today, but the problem is the existing law, which worked well for quite a period of time, to deal with the tourist designation in today's modern age. Over a period of time people have figured out how to get around it. It is not working well and is something that has to be addressed. We acknowledge that. It worked for a while. Today it is not working well; so we have to address the problem.

What concerns us is the local option proposal put forward by the Premier. It is the media gurus and the Liberal experts who say, "If you want to change your position, if you want to go against the family, if you want to do something that, in your view, will promote your trendy, urban yuppieness, but really is going against the family and is against what you campaigned on, then you have to come up with something to hang your hat on."

This local option did not evolve with an overriding principle of the Liberal Party that everything is going to be a local option, because we have seen just the opposite when it comes to other issues. That is where they all go, and now they are trying to sell that. They are saying, "You cannot sell it on the merits. You cannot sell it on what you campaigned on. So now you must try and sell it on the local option."



That is not working. The local people are not buying that. We know the issue of Sunday shopping, of trying to have a common pause day, is not one that should be good for some Ontarians and not others, not one that should be good for one municipality and not others and not one that should be left to a local option, neither the municipalities themselves, the actual elected councillors, nor the people who have elected them there.

We offered to come up with a solution if the government was afraid of it. We offered to work three-party. We said we would do it one-party if they wished, to work with the groups and come up with a tourist designation that would be acceptable to retail members, to the Association of Municipalities of Ontario, to chambers of commerce and what not.

We welcome the debate today. We think it is timely and we think it is important.

**Hon. Mr. Conway:** I have in my hand the notice of motion standing in the name of the Leader of the Opposition (Mr. B. Rae), and I must say that I received it with some interest last week. I believe it was on March 30.

Looking at this motion and looking at the intent of provisional standing order 37, I could argue a good case that this is not an emergency in the language of the provisional standing order. I dare say there might even be some in this House who would like me to argue that case, but I do not intend to be, as the member for Scarborough West (Mr. R. F. Johnston) would perhaps suggest, picayune—

**Mr. Wildman:** Don't be cynical either.

**Hon. Mr. Conway:** —because as the member for Algoma (Mr. Wildman) properly observes, this is a matter of some debate.

I just want to say very proudly to my friends in the two opposition parties that I am not at all reluctant to debate the member for Algoma and the member for Nipissing (Mr. Harris) on this subject, if on no other grounds than on the very grounds of their own constituencies and what I know to be the case in their communities, where I see a pattern of activity over the years that is at some very considerable variance with some of the rhetoric that I hear in this chamber today and have heard.

**Mr. D. S. Cooke:** Let us have another by-election someplace else.

**Hon. Mr. Conway:** The member for Windsor-Riverside intervenes, and we know, thanks to the Premier, what it is the member for Windsor-Riverside said to the Windsor Star on

November 15, 1986. Before the day is over, I will want to return to that.

Let there be no confusion in the minds of the opposition. Let there be no consternation in the hearts of the member for Nipissing and the member for York South (Mr. B. Rae) as to the willingness of the government to debate this. We are more than willing to debate this subject in this chamber and elsewhere—

**Mr. Mackenzie:** Closed mind.

**Hon. Mr. Conway:** —because we are not at all worried about contesting the member for Hamilton East (Mr. Mackenzie) on this subject.

For that reason, I want my friends opposite, and most especially the Leader of the Opposition, to know that notwithstanding the fact this resolution is almost certainly not in strict accordance with provisional standing order 37—I hope all my friends opposite have read that standing order, particularly 37(b)(ii), very carefully.

**Mr. Breaugh:** Some of us even wrote it.

**Hon. Mr. Conway:** The seer from Oshawa will have read it, if he has not memorized it.

I just want to say to my friends the opposition House leaders and their colleagues that while we will debate this today, happily, because of our strongly held view—

**Mr. Sterling:** You don't look happy.

**Mr. D. S. Cooke:** You haven't looked happy for a long time.

**Hon. Mr. Conway:** I want to say to my friends opposite that we are prepared to debate this today. I particularly want my friends the opposition House leaders to understand what I have conveyed to them over the last number of weeks; that is, this government has an agenda that it intends to proceed with. My friend the member for Windsor-Riverside most especially knows that over the last number of weeks we have said that there are a number of issues relating to the municipal and school board elections for 1988 that are pressing. The most pressing of these is Bill 77.

**Mr. Wildman:** If it was so pressing, why has the House not been sitting?

**Hon. Mr. Conway:** I want to say to my friend the member for Algoma that we intend to proceed, because that legislation, particularly the creation of a permanent voters' list, is important and pressing. As a government, we want to go forward in an orderly fashion not only to accommodate the not inconsiderable sensitivities of my honourable friends in the opposition, but at the same time to proceed with the agenda of this



government and most especially those areas as they affect municipal and school board elections in 1988.

I know my friends the members for Windsor-Riverside and Oshawa and Algoma and elsewhere will not want to delay the debate of that particular legislation and they will not want to add any additional difficulties to the municipal elections or the school board elections in 1988.

I will look forward, as a member of the government, as a member of the assembly, to debate the issues this afternoon as they affect the regulation of retail store hours.

1540

I want to say, in conclusion, that the government's agenda is going to be proceeded with, that the local government bills, as they affect the 1988 elections, are matters of urgent and pressing concern, I know, to all members of this assembly and certainly to all communities that will be affected in the fall.

On the basis of that caveat, I say, "Let the debate begin," because this government is delighted to have the opportunity to engage honourable members on the subject.

**Mr. Speaker:** As all members are well aware, there are several parts to standing order 37. We have now dealt with 37(a), 37(b) and 37(c) and we come to 37(d).

Motion agreed to.

**Mr. Speaker:** That being the case, I would advise any member who wishes to speak, he or she will have up to 10 minutes to speak and the debate will continue until 6 p.m. or until we run out of speakers. The member for Etobicoke-Rexdale.

#### RETAIL STORE HOURS

**Mr. Philip:** Thank you, Mr. Speaker. The Premier (Mr. Peterson) has stated publicly that members of the Legislature who believe in a common day of rest are living in the past. One would have to ask the Premier, did he believe that the Solicitor General (Mrs. Smith) was living in the past when she signed her name to a select committee report that stated a common pause day was a principle which should be upheld by this government?

The report of the select committee, which was established by the Premier at a cost to the taxpayers of over \$90,000, reflected the views of thousands of people—citizens, corporations and members of the community—who came before the committee. No doubt the Premier believes the

leaders of these community groups are also living in the past.

He was obviously thinking of the future, however, when during the election campaign he stated that he believed in the proposals of the select committee. I would remind the members of the House that the select committee firmly maintained that provincial legislation "regulating retailing on holidays, including Sundays, should therefore be structured to support the maintenance of such a common pause day or day of rest."

That is what the Premier was agreeing to when during the election campaign he stated he was in agreement with the thrust of the select committee's report. What we have is more than just the issue of Sunday shopping. What we have is the issue of a Premier going to the people with one set of premises, telling them one thing and then a few months later doing exactly the opposite.

In announcing the government's decision on providing the municipal option on Sunday shopping, the Solicitor General stated that the government had concluded the recommendations of the select committee were unworkable. But she was the one who signed that report only a few months earlier. She was the one who strongly supported the committee's recommendation against widespread Sunday shopping. Furthermore, in comments prior to the government's recent Sunday shopping decision, she described the municipal option as the chicken way out, the passing of responsibility on to the municipalities when the select committee's report was fairly clear as to where it stood on that.

It stated in its recommendations, and it was the first and second recommendations that dealt with this and are therefore, one would assume, very primary and important recommendations, "the primary responsibility for the administration of the Retail Business Holidays Act or other legislation relating to retailing on holidays should remain with the provincial government."

That was clearly what the Solicitor General and other members of the Liberal party signed when they signed that select committee report. That was clearly what the Premier was promising during the election and now he is breaking that promise.

In his letter to someone who had written to him, the Premier gives two reasons for his sudden flip-flop and change of heart against the people of Ontario. He states: "We have concluded that municipalities should be allowed to regulate Sunday openings. Since the attitudes and conditions vary widely across the province,



municipal governments, in our view, are in the best position to determine locally appropriate approaches to this issue."

If one looks at the select committee report and the 17 recommendations, it deals with that flexibility. It recommends ways in which we can deal with the problems associated with local conditions. But instead of implementing the select committee report, the Premier has decided simply to throw it away and go the Bill Vander Zalm route.

I want to point out to members that the Vander Zalm route, the British Columbia route of giving the power to the municipalities, does not give them power at all. What the local municipal option means is that municipalities—and this happened in British Columbia—whose citizens, whose merchants, whose aldermen or councillors are against wide-open Sunday shopping are coerced for economic reasons into having wide-open Sundays.

We heard that in the select committee. We heard from people who had had some experience with British Columbia that when you give them the local option, all you need is for one municipality to open the doors and the others, for economic reasons, even though they do not wish to, simply have to open their doors as well. It is fairly clear. This happened in Vancouver and it will surely happen throughout all of southern Ontario.

The other argument used is that any changes in the law will address the question of the protection of retail workers who may be asked to work on Sundays. The select committee dealt with that.

We had managers, particularly managers of Canadian Tire stores, saying: "You can pass any legislation you want, but the mere coercion of the promise of promotion is enough to force an employee to work on Sunday whether he or she wishes to or not. Indeed, there are ways of getting rid of any employee whom one does not wish to have along or who is unco-operative, simply by scheduling him on a Thursday night when he has university classes or at some other time when it is very inconvenient for that person." Those are the managers who are saying that and those are the owners who are saying that. They are saying, "We can get around any labour legislation you pass because of the nature of the retail business."

If members look at what we are talking about, we are talking about Sunday working which will force people who are single parents, who now, because of the nature of their work, are not home with their children on Saturdays, to work on

Sundays as well and therefore not be at home during the main time in which the children are at home.

We are talking about additional municipal costs, because surely the costs of policing, of transportation and of day care services will be affected, and they fall most heavily on the municipality and on the home owner.

We are also talking about an increase in food costs. The merchants in my area, grocery store owners and people who are involved in that trade, inform me that they are very likely not to increase in any substantial way the volume of food they are likely to sell. They state that their costs will therefore go up proportionately in terms of their costs of operating.

It costs more to operate seven days a week than six days a week. That has to be passed on to someone, and it will be passed on to the consumer. They have estimated 15 per cent. That may be a little high, but if one considers that some of the revenue will come as a result of putting small store operators out of business, none the less we are going to have an increase in food costs as a result of this reactionary legislation.

The argument is also used that somehow, according to the Ontario Libertarian Party and people like that, we should let the marketplace decide, that open Sunday would lead to more convenience and that the shopper then would actually have more convenience to choose.

In fact, the result in Alberta, as the select committee found out, is exactly the reverse. What has happened in Alberta as a result of wide-open Sundays is that many of the merchants, faced with increased costs by being open that extra day, are closing down more and more in the evenings at times when consumers do find it convenient to shop on their way home from work. So the consumer has less convenience, not more, by the route the government has taken.

**1550**

Let me conclude by dealing with something which is very important to me. I think that as a society we have a right, and we have an obligation as legislators, to decide what type of society we are aiming at creating. If the almighty dollar, if the wishes of the Bay and Simpsons and if commerce are more important than people, then we are failing the people we are representing.

In my riding, an awful lot of the people who work in the retail business are single parents. Others who operate small businesses, often both husband and wife, run the store. If they are



forced to remain open on Sunday, as this legislation when it comes forward will no doubt mean, it basically means that the quality of their life is being reduced in exchange for economic objectives.

As members of the Legislature, when we put economic objectives ahead of personal objectives of the people we are representing, when we put economic objectives ahead of our citizens, when we put economic objectives ahead of the objectives of our society and our communities, we are doing ill by the people we represent and by those communities.

**The Deputy Speaker:** Do other members wish to participate in the debate?

**Mr. Brandt:** I feel compelled to join in this debate today because the subject at hand is one which I feel is being dealt with in a totally inappropriate manner by the government. I feel that the government is not listening to some of the valid concerns and the considerations that are being put forward almost daily in question period, in newspaper editorials and by messages I know the government is getting directly from a number of interest groups throughout this province.

The government is well aware that there is a broad coalition in Ontario as it relates to the whole question of how we deal with seven days of commercialism or open Sundays in this province. That broad coalition is an interesting one, because the makeup of it, to the best of my knowledge, is one that has never occurred before in this province.

There are people from literally all walks of life, from organized labour to the Association of Municipalities of Ontario to church groups to people from everyday walks of life, who have stood up and have spoken very clearly to the government and have said very simply, "We do not want you to pass legislation which will ultimately result in stores being open right across this province."

I know the government will say: "That's not what our legislation calls for. Our legislation very simply passes on the responsibility of this whole exercise to the local municipalities." That is essentially what the government is talking about, the legislation it is going to bring forward. If it is going to bring forward legislation other than that we are talking about, then please signal us to the effect that it has some other thoughts in mind, because certainly, at this point, the only indications we have from the Premier, based on the way he has responded to our questions, is that

this is very simply and very fundamentally a question of local option.

It is a local option of convenience, I have to say, in this particular case, because the government does not have, it appears, the intestinal fortitude to take this on as a provincial issue, which it always has been and which it should continue to be.

If the government made a decision in this particular case to open up Sundays and to allow for seven days of commercial activity in the province, I would disagree with that decision, but at least I would give the government some marks and some consideration for having taken the decision on itself and faced the reality—and the wrath, I might add, of the voters of this province.

What the government has done, to quote a very fair, honest, kind individual, turning this back to the municipalities is "the chicken way out." I agree with the spokesman who said that, because the chicken way out is exactly the path, exactly the process, being proposed by this government.

I would remind that government that when it said it was going to take a provincial responsibility and pass it on to the local municipalities, it received back a response which was really quite interesting in that the executive of the association of municipalities decided to take a vote on this issue and the vote came out with a resounding disagreement with the government's position; the vote was 58 to three. That is a pretty substantive and very direct message that they are in disagreement with what this government has said.

Further to that, the Rural Ontario Municipal Association, ROMA, had a discussion about this. I was pleased to be invited to be the breakfast speaker at one of their functions a few weeks ago when they were in Toronto. It just so happened that the night prior to my arriving as their breakfast speaker they had dealt with the issue of Sunday shopping. What they said, again, was that they do not want the government to pass on the responsibility for this issue to local municipalities. The vote in that particular case was virtually unanimous; I do not have the numbers before me.

It is interesting to note why they feel this way. They feel this way very basically and very fundamentally because they feel one municipality is going to break out of the almost unanimous position being taken by its colleagues right across the province and decide to open up on a Sunday. Then what you will have is a domino effect which will cause neighbouring municipalities which are



in geographic proximity to that municipality to decide that, because of economic pressures, they too will be required to open.

That position, apparently, is reasonably well agreed to by virtually everybody in this province except for that government. I ask why the government is not listening to the very clear, very succinct and very able arguments being put forward by so many speakers who have said the government is treading down a very dangerous path.

Why are we concerned? I will tell members why we are concerned about seven days of commercialism and getting rid of what we have traditionally had in this particular province, a common day of rest and a common day of pause. During the course of one of my travels throughout this province, in the municipality of Ottawa, I happened to have a young lady come up to me indicating the concerns she had about Sunday shopping and about being forced to work on a Sunday.

Essentially, her message to me was very basic. Her employer had found a way to get around the rules as they are now and open up on Sunday. She was asked to work on a Sunday, and because she happens to be a single-parent mother and has a family at home, she disagreed with her employer and said, "It is not convenient for me to work seven days a week." This young lady was engaged in the retail sector. "I am already working six days a week. I think it is unfair to my family." Her employer said, "You are going to have to work on a seventh day." She said, "I prefer not to."

Finally, he brought about the kind of subtle pressure, I say to the Minister of Labour (Mr. Sorbara), that he cannot prevent in any legislation he brings forward, because this kind of pressure is too subtle and is the type that would be very difficult to define clearly in any kind of a law he would bring forward, where you are denied a promotion, where hours are cut back, where your employer all of a sudden subjects you to some of the lesser jobs in the establishment in which you are employed.

There are all kinds of ways where an employer can bring that kind of pressure on an employee and force him to work on a Sunday, in spite of all of the goodwill the government might have in attempting to bring about legislation that would bring some kind of protection into this whole issue.

I am concerned about those kinds of families. The government has not addressed and has not even given any consideration to the additional

costs that are involved if we have Sunday openings in this province. Who is going to pay for the additional day care that is going to be required in the case of the very young lady from Ottawa I just used as an example? She is going to have to go to work not six days now but seven days, and she is going to have to have someone look after her family on the seventh day, which I think is totally inappropriate. I think it is inappropriate because certainly a mother should spend, we would all agree, as much time with her family as possible.

The government says: "We do not have chaos in the labour market now. We have policemen, we have firemen, we have all kinds of people who are required to work on a Sunday." I do not disagree with that position other than that when the Premier brings forward the argument that policemen and firemen are required to work on Sundays, he fails to recognize that those very organized groups also work on a different scheduling arrangement than a retail worker or someone who would be forced to work on a Sunday. They are working, in some instances, a four-day week, so they may have three days off. It may not be the Sunday, I admit, but it may be Monday, Tuesday, Wednesday; it may be another three days.

#### 1600

In the community which I happen to have the honour of representing, we have plants that operate 24 hours a day. We also have unions that have quite appropriately argued for and have been able to receive a 12-hour day, a three-day week. They work 36 hours now in some instances. They have four days off in those cases. It is not a particular burden on those individuals to work on a Sunday when they have another four days off at some other point in time. That is not the case with the people whom we are trying to protect.

I tell members, as sincerely as I know how, to relay this message to the government. It is doing the wrong thing. If we sit down as parliamentarians in an all-party committee to define very clearly designated tourist areas, we will work with the government hand in hand to determine how that can be done in an effective way, to make the laws of this province as they are now in place work more effectively.

**Hon. Mrs. Smith:** I am happy today to speak on the subject of the retail sales hours. I had the honour of working with members of all three parties on the select committee on retail store hours in the last parliament. I think together we



agreed on several things, three of which I particularly want to touch on.

The first is that this is a very complex and difficult area and cannot be solved by platitudes. We have already a body of laws that have developed over many years in a changing society. We have, as well, laws that are different in different communities already reflecting the different needs of those communities.

I think all parties would be most unfair if they mislead the public by thinking there are simple solutions. To send out questionnaires which ask simple questions like, "Do you want a totally open Sunday? Do you want seven days of commercialism?" as was recently used by the member for Sarnia (Mr. Brandt), is misleading. You expect a yes-or-no answer to a question that has no yes-or-no answer. It is rather like saying, "Yes or no, answer me, have you stopped beating your wife?" and it asks for an equally meaningless response. Yet we have been subjected to much of that meaningless response now.

This is complex and must be addressed in a complex way.

The second thing I think we all agreed on is that the present law is being very much abused. We have in our communities stores that open up and rope off parts of the store; then next they open another door so that people walk in and walk out again. We all recognized these as being abuses.

We recognized abuses where people were actually making more money by breaking the law than if they obeyed the law, because the penalties were not enough.

We saw the biggest abuse of all which has hit our society more recently, and that is the abuse of the clause in this bill which makes an exception out of pharmacies, so we have Howie's and Herbie's opening around this province which are not really drug stores at all but miniature department stores, another abuse we recognized and realized had to be corrected.

More recently, we all lived through the Christmas season with another discovered abuse; namely, this business of the open Boxing Day because you were closed on Saturday, even though that was never the intention of the Sabbatarian exception. We saw these abuses. We recognized they must be addressed.

The other thing we recognized as a committee was that tourism must be addressed. Many of our communities depend on tourism for their well-being and even for their existence economically. Tourism is, in fact, one of the biggest money makers, the biggest industries, if you want to call

it that, of Ontario, and tourism in this way must be protected as an essential part of Ontario's wellbeing. Because of this, the select committee called upon the provincial government to draw up a definition of tourism that would blanket the total province and be useful for the local councils to define tourism within their area.

This was taken on as an effort by the provincial government, which found, in fact, that it is impossible to define tourism in this complex province in such a way that it will cover the whole province and all the different needs of the different communities and still have that definition meaningful in any way at all. Therefore, as a province, we recognized that it was not a provincial responsibility to determine what is good for individual communities in this area of being open. It must be determined on a local basis.

This is not to say, and it should not be implied, that every local option has to be to open fully. This was never intended. On the other hand, I would point out, starting with communities that I know well, that in London you might well have a completely different situation than you have in Grand Bend, a small community near me, which has a population of 800 in winter and which depends on tourism in summer for the livelihood of those people who live there year-round. London could come to a decision to stay very much the way it is now and not to have anymore openness than they presently have.

That is something they could decide, and the ruling they make would be very different from the decision of Grand Bend, which probably would decide to be open, as it presently is, Saturdays and Sundays in the summer holidays and during the tourist season and, in fact, in practice, to be completely closed down in winter because there is virtually nobody there to shop.

These are local situations. The same could be said of Parry Sound and Toronto; you cannot define them in one breath. You cannot look at Windsor and Niagara Falls, border cities, and have the same decision good for them that might, in fact, be good for Kitchener. We recognize that to both encourage and facilitate tourism, which we all know to be essential, and to do it in a way that is meaningful to the local community, we must allow the local communities to assume their share of the responsibility in defining what is good for that community.

We recommend and see that local option to some extent is not only healthy but inevitable. I would add that local option presently exists and is used. It is used in the form of this tourist



exemption which presently exists in this ad. We have seen it used and, as well, in some cases, abused, by local governments in so far as they use a so-called tourist exemption to do what they simply want to do by the nature of their community.

That is, you get a place like Mitchell, which really could not be called a centre of tourism, which opted to declare the whole town a tourist centre and be open. You get St. George doing the same thing, declaring the whole town a tourist centre and being open. You get Mississauga, where they designated one fruit stand and got a bunch of letters saying, "I came from the states and enjoyed going to this fruit stand." So they declared the fruit stand a local tourist attraction and opened.

I point out to you that, even as a local option, there is nothing particularly new in that. Right now that exists in the tourist exemption, and it was in looking at this that the select committee was trying to recommend a provincial definition. It is in addressing the great variety of our communities that we say the province cannot so define it because the province is too varied, too different. Local governments must look at this, look at what is presently a tourist exemption or look at anything that is put in its place and make the decision as to what is good for its community.

They have done this in the past with sports and entertainment, made the local decision. The local governments prophesied at that time that the province would fall to pieces, families would die and religious values would go up in smoke. We now have local option on that and take it for granted and none of these terrible things did, in fact, happen. The people in the local governments can decide whether or not, in fact, they think it is a danger to their society to have this more openness.

**1610**

I would give you the fact as well that the people who live in the community are closest to it, do know best what is good for the community and are also most accessible for the people in the community to influence.

North York, which at the beginning of all this was about to take advantage of the tourist exemption, or so the mayor suggested, and declare the whole of North York as a tourist area is an example of this. Mayor Lastman expressed his interest in doing this. He was going to use the present law and the present exemption under tourism to do that. The local people in that municipality got up in arms. They went to their local members, had meetings, reached the local

members of that council, influenced the local members of that council and the council indeed voted that it wanted to see North York stay closed.

I point out to members that this was a case of local option where the people in that municipality were best able to reach the people who are closest and most accessible to them, which was the local council. They made their point with those people and the councillors went back to their council meeting and said, "We are not interested in more openness at this time," and that is what has happened.

That is local option, but local option bringing forth the wishes of those people, which in the case of North York happened to be a wish to stay as they were and not to expand the openness and declare the whole of North York open.

I wish to emphasize that the local option is not and was never intended to be open Sundays. It was never meant to be or intended to be seven days of commercialism, unless perchance that local community decides that what it wants for its community is precisely that. We think they have the right to examine that.

**Mr. B. Rae:** I appreciate the chance to participate in the debate, particularly since I moved the resolution, but I must say that whenever I listen to the Solicitor General, as I have done today, I am overwhelmed with a sense of irony, which is not an unuseful sentiment to possess in some good measure in this business. This, after all, is the member who signed the report of the committee. I am not one to say that one should never change one's mind or recognize that some things have changed, but this was a year ago. This was not a long time ago.

I venture to say to the Solicitor General that if she were completely straightforward with the House, she would probably want to say that she was as surprised as anybody when the Premier announced to the cabinet that this was the way it was going to be, after asking the Attorney General (Mr. Scott), "Is this the way it has to be?" The Attorney General has always favoured the local option. As soon as he was elected, he was talking to members about the local option being the answer to the problem of Sunday working and Sunday shopping.

That is the position he has taken, so one should hardly be surprised when the cabinet comes up with the decision. Knowing the influence of the Attorney General, people throw up their hands and say, "Well, this is the way it's going to be," and all of a sudden the Solicitor General has said,



"You're the minister; you have to go out and defend this."

I must confess to a certain feeling of irony, as I say, at listening to the minister's explanation of why the law needs to be changed and why the government has flip-flopped completely on its position. Her position now is: "There already is a local option. That local option is called the tourist exemption. That exemption is being abused. Therefore, we are going to go for complete local option." I must have missed the connecting sentences in that line of thinking.

If you have problems—as the committee did, and it heard them—if there are indeed problems with the way in which the tourist exemption is being used, then let us by all means not simply attempt to deal, but let us deal with that problem, and let us, if we are serious about a common pause day, recognize that not every exemption is perfectly in line with the way in which the law was intended to read and that it can in certain circumstances and situations work to the systematic disadvantage of people who are being asked and forced to work in those circumstances.

If there is a problem, let us deal with it; instead of which, the government's approach—I notice the government House leader is smiling because he is a great supporter of this and points out how many parts of his own riding use the tourist exemption and how it is being used.

I just want to say on behalf of our party that when the minister talks about a local option in an urban society such as the one we live in, she is talking about a fiction. Let me remind the minister precisely what will happen if we move to a local option. I can speak particularly in terms of the areas being so close together in the whole Golden Horseshoe.

One municipality will decide that it wants to move to having workers work on Sunday and having shopping on Sunday. Once one municipality moves, even those councillors and local officials who were previously opposed will have to come up and say, "Look, our local business people are pressuring us so we may be able to compete."

Burlington will want to compete with Hamilton or Hamilton will want to compete with Stoney Creek, and it will start. Burlington will want to compete with Oakville, Oakville will want to compete with Mississauga, Mississauga will want to compete with Brampton, Brampton will want to compete with the city of York, the city of York will want to compete with the city of Toronto, the city of Toronto will want to compete with the city of Scarborough, Scarborough will

want to compete with Pickering, Pickering will want to compete; we have the picture. In a few short years, that is what we will have.

The government is trying to have it both ways, saying: "We do not believe in wide-open Sunday shopping. We do not believe that is what should happen," even though the Minister of Labour has said he does not care if every store is open on Sunday.

**Hon. Mr. Sorbara:** The member knows his geography; not much else.

**Mr. B. Rae:** I was at the meeting. I was as astonished as anyone at the performance by the Minister of Labour, which was, I might say, as inept a performance in front of a crowd talking about Sunday shopping and working as I have ever seen. But I listened carefully, and naturally I wrote it down, because I could not believe my ears when he said it. He said, "I do not care if every single store in this province is open on Sunday." I could not believe that a minister of this government, the Minister of Labour, would be saying: "I do not care; let it all happen."

**Hon. Mrs. Caplan:** You are distorting reality.

**Mr. B. Rae:** I say with great respect that the Minister of Health was not at that meeting, although her attendance would no doubt have been an enormous asset to the government team of Sorbara and Smith at that gathering.

**Mr. Breaugh:** It would have upped the total IQ.

**Mr. B. Rae:** The Minister of Health says that I am distorting reality. I was there. The Minister of Labour said he spoke those words. What I think is important—

**Hon. Mr. Sorbara:** Just finish the sentence.

**Mr. B. Rae:** I was sitting right there. He spoke the sentence and I wrote it down—

**Mr. Pope:** I believe you.

**Hon. Mr. Sorbara:** You saw the period?

**Mr. B. Rae:** —with the sense in my own mind that I could not believe a minister of the crown would make that kind of statement about the rights of working people in Ontario in 1988. I could not believe a Minister of Labour would be arguing for taking away from people's rights rather than adding to them.

I want to suggest to the government, as I suggested to the meeting I attended and as I suggested to the meeting of over 1,000 people that I attended in Ottawa—I am delighted to see that the member for Ottawa South (Mr. McGuin-ty) is here today, because we missed him terribly



at the rally in Ottawa back a month ago. It was very well attended and spoken to by the mayor of Cornwall, who attempted to win and was defeated for the Liberal nomination. I said to the mayor of Cornwall, who gave a stirring, ringing speech on behalf of those people in his constituency and his town who were opposed to Sunday shopping, "If you had won that nomination and won the election, you would be in the fourth row speaking out on behalf of the government of Mr. Peterson on behalf of the local option." He smiled and said, "I can tell you I am very much opposed to what is taking place." I think that is a clear expression of opinion.

As I said, at those meetings I made a very simple point. I said it and I say it again. I have made a lot of mistakes in my political career and you can all add them up and comment on all of them and send them all—

**Mr. Runciman:** Don't leave any out.

**Mr. B. Rae:** I suggest that the member for Leeds-Grenville may have made one or two in his life as well, though I have no idea whether he would be prepared to admit that at this stage of the game.

I think the Premier has made a mistake. It is something that has jarred with the commonsense view as to what would be the wisest way to proceed. It has jarred with what most people's commonsense reaction is. When you talk to people about Sunday shopping, they think, "Maybe it is not such a bad thing." But then you ask them: "What about working on Sunday? What about other services on Sunday? What about day care on Sunday? What about the Toronto Transit Commission on Sunday in terms of expanding services? What about what is going to be required for us as a society to have a seven-day, shop-till-you-drop kind of society?"

When people begin to think of that and reflect on it, they do not want a 48-hour week or a 44-hour week or even a 42-hour week; we are talking more about a 40- and a 38- and a 35-hour week. When we look at cities throughout the world—Rome, Tokyo, London, Paris and add all those cities together—and ask, "Do you have shopping on Sunday?" the answer to that is no. London, England, which I would have thought a world-class city, to use a Liberal expression, does not have wide-open Sundays.

I say to the government opposite, it is simply making a mistake. What we are doing in this party is saying to the government, "Look, we won't even crow too much—maybe for one day or so, but not for ever—if you admit you've made a mistake."

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Let us then take the opportunity to sit down and work with where the problems in the law really exist and reflect on what is the common-sense view of most people in this province, which is that they want a common pause day, a common policy for the province, and protection for people who do not want to have to work on Sundays and want to be able to stay with their families. They want to expand those rights and they do not want to diminish them.

Those are four points that are widely shared. If those are four points that are widely shared, why do we not share them and deal with them? Instead of which, the government is flying in the face of what it said it would do and committed itself to doing. It is doing something completely contrary to what it was elected to do.

Finally, there is the statement that has been made by the Premier, "We've been elected to do things and we're going to do them." There is the statement he made to representatives of AMO: "Too bad you don't like it. We're going to go ahead with it anyway." I want to say this to the Premier: If he thinks he is going to have an easy ride or if he thinks the opposition is suddenly going to lie down and say, "Yes, you have 94 members and you can do what you like," he is sadly mistaken. If the government wants to fight on this question of the local option of people working on Sunday and shopping on Sunday, then it is going to have a fight, and that fight is going to be coming directly from the New Democratic Party.

**Mr. Pope:** It is my pleasure to join in this debate to support the efforts of my party and my leader, who have taken the leadership on this issue, which is well recognized throughout the province. We disagree with the decision of the Liberal government of Ontario. We disagree with the rationale offered by the Premier and by the Solicitor General; nor do we think it is the true rationale for the decision this government has made with respect to a day of common pause in the province.

The Premier has said the province is bigger than most countries in Europe and therefore we are going to balkanize it. Because this provincial government does not have the power, does not have the authority, does not have the courage to govern the province, therefore we will balkanize it because it is bigger than most countries in Europe. That is a view of this province with which we profoundly disagree.

Again today, the Solicitor General has said that because the law was being abused, we are



going to reward the abusers. We are going to give them what they want. Heaven help us when we see what they are going to do with the criminal justice system in this province if that is their logic: When someone abuses the law, give him what he wants, pass the amendments and cater to the abusers. This is a government that has responsibility for all laws in the province and for the administration of justice. If that is their philosophy, as expressed by the Solicitor General of Ontario, heaven help us.

Again today, the Solicitor General said: "We want to leave it up to local option. Even though local governments do not want it, we are going to give it to them because local governments can listen to the citizens of this province better than we can." That is precisely what she has said. In other words, this government does not have the ability or the willingness to listen to the citizens of this province, and therefore it will shirk its responsibilities and hand then over to unwilling municipal governments across the province. We disagree with that rationale as well.

I think the Leader of the Opposition (Mr. B. Rae) had it right when he said we are now debating the policy dictates of the Attorney General of the province, who said, for some reasons that this government has not yet told us, "We are going to change the observance of Sunday as a day of common pause in this province."

We have yet to hear from the Premier or members of the cabinet why the Attorney General feels this way, but we are starting to get an idea. Is it really to kick organized religion in the teeth? Is it really to jolt societal assumptions or moralizations having to do with Sunday? Is that what the Attorney General's agenda is? Does that explain what I believe to be a philosophical linkage between the race to fund the Morgentaler clinic before any public consultation, the introduction of this legislation and the introduction and passage of Bill 7? Is that the underlying philosophy of the Attorney General expressed in this government, to jolt societal assumptions, to change the face to the new Ontario, to make it reflect the Attorney General's philosophy?

**Hon. Mr. Conway:** What a charming fellow you are, Alan.

**Mr. Pope:** What a charming fellow.

The Geneva Park Papers of 1983 contain a rather revealing discourse by the Attorney General of Ontario before he held elected office. In case members want the quote, I am reading from page 193.

"I believe that the touchstone for liberalism in North America since the 1970s is a certain conception of equality which differs, in important ways, from that advanced by the socialists.

"At the same time, it goes much beyond the conservatives' assertion that the appropriate concept of equality is the provision merely of opportunity. Professor Dworkin, in one of his papers on liberalism in the 1970s, asked why it is that conservatives generally contend for censorship of printed material, especially if it is perceived as erotic, but oppose gun control when it is clear that guns are, by and large, more dangerous than sex. Why is it, I ask, that socialists favour close regulation of banks, but will defend to the end the liberties of trade unions?

"The answer is that both right and left carry into the political arena their own selected judgements about the moral ends, the moral interests of society. They believe they know, to the point of dogma, what the good life or the moral life or the ultimate objectives of a free and just society are. Their libertarian and egalitarian strategies are designed to enforce their moral views.

"Many good people, law-abiding people, belong to gun clubs and want to carry guns. They should be allowed to do so. Why? Because they are good people. Most people who want to see censored films are bad people. They should not be allowed to do so. Why? Because in their moral judgement, they are bad people. In the view of the left, trade union leaders are better people than bank directors.

"On both the right and the left, liberty and equality are infected by this kind of pejorative moral judgement. Liberty and equality are not seen as ends to be sought or goals to which society moves, but rather as mere means by which to achieve the value-ridden society that represents their personal preferences.

"The conservative resolves the issues presented by the Baake case with no difficulty. He simply removes the impediments that confront a black applicant for medical school and allows him to compete in an equal opportunity contest. The odds are stacked against him and he cannot succeed. But the conservatives say those are the breaks. It is thus that liberals regard the conservative position on equality as a hollow and meaningless promise, devoid of actual content.

"At the same time, a true liberal must denounce the socialist program, which in the same way imposes a series of value preferences, frequently overriding the perfectly legitimate



values of those whose needs are special or whose ambitions may be regarded by the majority as eccentric.

"The effect of both conservative and socialist policy is the same. At all critical junctures, they seek to impose a value system of their own selection which either deprives the citizen of a beneficial opportunity or deprives him of his free choice.

"In my view, the liberal position is radically different. Liberals stand for the establishment of a process and not for the imposition of a point of view. For a liberal, the touchstone or nerve of equality is not mere formalism; it is fairness, the development of a process that eliminates enforcement of preferences without regard to the liberals' own conception of what in the end represents the best for society. The liberal approach to human rights is dictated not by mere assurance that equal equality is available, but rather that it is obtained.

"The liberals are determined to develop a strategy that will enforce that particular conception of equality, devoid of preferential content, dictated by majority or special opinion so that the needs of those who are disadvantaged or unpopular are enforced. The liberal view calls for the establishment of process, not the imposition of a point of view."

Again, that is the Attorney General of this province in 1983 in Geneva Park at the Liberal policy conference.

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Here he is again, on November 25, 1986:

"The second feeling I sense honourable members have is that the bill"—Bill 7—"should be opposed for moral reasons. I am conscious that many honourable members, like myself, belong to an organized religion or, if they do not, have developed an ethical code that is important for them in the organization of their own life, as a religious code is to me and to others. But I do not believe this bill, properly understood, has anything to do with those moral values.

"I regard it as a matter of some importance to make this point because, increasingly in the last two decades, we live in a pluralistic society in which there are among us...all kinds of newcomers from different countries who subscribe to different religions, who have different moral views and sometimes have none. But we say that as long as they obey the law, their morality, the ethical code they select to govern their relations among them and with their god or their maker, is a personal matter for them.

"Everybody understands that in order to make this system work, we must regard moral questions as personal matters, not governmental matters, because as soon as a moral question becomes a governmental matter, then we have a tyranny over which there is no control."

That is the philosophy and point of view of the Attorney General of this province. We think he has misunderstood the importance of the day of common pause in this province. We believe that there is a moral value to family life, to a day for personal reflection, to not having to work seven days a week in the Ontario of today. These are moral values we think the majority of society supports and we believe the majority of the members of this Legislature support. It is different from moralizing, and the Attorney General has never been able to distinguish between those two points. Therefore, we think this legislation and the policy of the government is misguided and we urge them to reconsider.

**Mr. Kanter:** I have listened to the remarks of the preceding speakers with great interest. They suggest that allowing local municipalities to regulate Sunday shopping will somehow lead to dramatic and detrimental changes in Ontario.

I have tried to look at the evidence. I have tried to look at how local option has been put into place in Ontario and other jurisdictions in recent years. I think the members of the opposition are quite wrong in the impact that local option will have in this province. I think the local option approach is not only consistent with our history, but also recognizes the increasing diversity in Ontario's population, and it clearly reflects a nationwide trend. This does not mean that this government believes that all communities should or will adopt Sunday shopping.

As the Leader of the Opposition observed—and I am sorry he is not here now—the regulation of Sunday activity is not a new problem in Ontario; it has been with us for over a century. One hundred years ago, the burning question was whether streetcars should run on Sunday. In 1886, somebody was arrested for using his horse and buggy as a taxi to transport people to and from church. Some people in this chamber may remember when swings and playground equipment were locked up on Sundays or when stores put up curtains to prevent window shopping on Sundays.

In 1950, the pressing issue was whether professional sports should be allowed on Sunday afternoons. The provincial government of that day introduced the bill giving municipalities the option of allowing professional sports to be



played between 1:30 and 6 p.m. The Premier today referred to statements the then Premier Leslie Frost made on this issue about placing it in the hands of the local people.

Opponents predicted the most dire consequences if the bill was passed. The fabric of society would be ripped apart, our children would be corrupted and there would be more people in mental institutions. I do not believe that I am contributing to the corruption of my family if I take my son to a Blue Jays game on a Sunday afternoon.

After the Sunday sports debate came Sunday movies, again a matter of local option. Some prominent opponents said that allowing Sunday movies would hasten the spread of communism. It would make Toronto indistinguishable from Moscow. Mr. Speaker, I have been to Moscow on a tourist visit and let me tell you I much prefer Toronto.

While controversy about Sunday legislation is not new, our province has changed very dramatically since the debates of the 1950s. The arguments of our opponents are not original. They just want to return to an Ontario that does not exist any more. We are no longer a predominantly Anglo-Saxon society. More of us live in urban areas; most women now work outside the home; more communities now depend on tourism. These changes raise a question: Are uniform Sunday closing laws meeting the varying needs of Ontario's communities?

This question is not unique to Ontario. Our friends would suggest that this is some crisis that we are facing in Ontario, but it is being faced in virtually every other province in Canada. British Columbia, Alberta, Saskatchewan, New Brunswick and Newfoundland all have legislation with some form of local option and Quebec, the other large province with a large population, is studying this approach.

I have tried to suggest several reasons why I think the local option is the best approach to this difficult issue. Let me try and deal with several of the arguments that have been raised this afternoon against the local option.

Some would say that we do not need to take any action, although I was glad to hear the member for Nipissing (Mr. Harris) concede that the current act is not operating very well. I think that members are appreciating how complex and troublesome the Retail Business Holidays Act has become. While the act says that no retail business may operate on Sunday, there is a long and growing list of exemptions to the act.

I find it interesting—indeed I find it a little strange and perhaps a little inconsistent—that the official opposition, the party that is now arguing that we should not have Sunday shopping, itself supported a motion—indeed all parties in the House supported a motion—to add more exemptions, to say that bookstores and art galleries should be open on Sunday.

A large drug store near my home sells food, clothing and stationery on Sunday. Right next door to the drug store, stores that sell the very same items must stay closed. A week or so ago, I was out with my family, my wife, six-year-old son and 15-month-old daughter, walking along Bloor Street. My son decided he would like to get a little exercise copybook, like the one he was using in school, to do some little exercises in. He wanted to go to a certain store because it had the right kind of exercise book, the same one that he used in class. The store was open and it had a sign in the window saying: "Dear Solicitor General, why should we not be allowed to be open? We are selling the same goods that the drug store just down the street is selling." The current law is a mess.

It is very hard to argue against the principle of local option but I have heard the arguments that, in practice, there will be problems: this domino effect is going to occur. But if we look at the evidence and go beyond the rhetoric, municipal regulation of store hours has worked well in Ontario for many years. Municipalities have long had the power to regulate store hours from Monday morning to Saturday midnight. A few municipalities allow stores to open 24 hours a day but many others restrict openings to one or two nights a week.

Municipalities have had the power to regulate store hours at night and they have done so effectively. We do not have wide-open night shopping in Ontario. The experience in Alberta and British Columbia, where the local option on Sunday shopping is in effect, is similar: Many municipalities do not adopt Sunday shopping. Sometimes I think we attribute too much power to ourselves here in the legislative chamber. Governments do not themselves dictate when businesses open. The market plays a major role.

In the city of Toronto, most stores can be legally open 24 hours a day. How many stores are open those hours? Not that many. It is a business decision. I expect that, whatever laws we pass here today, stores will open when they feel that they have sufficient business to be open. Just because a municipality says a store can be open



on Sunday does not mean that stores will be open on Sunday.

I think the third issue that has been raised today is the most important one, that is, what will really happen if some municipalities do exercise a local option to allow some stores in some areas to remain open? For most Ontario families, there will be little change because the reality, unlike the bucolic picture painted by our friends across the way, is that we already have a significant amount of activity on Sunday in Ontario.

**1640**

About 34 per cent of our workforce already works some Sundays. That is more than 1.5 million workers and, yes, some of those workers work in services that we would all define as essential—police and accident—but many of them do not. We have people in the fast-food industry, people in the recreation industry, theatre, sports, bookstores, the media—I do not know if they would consider themselves nonessential. But the opposition has not said very much about people who are already working on Sundays. It seems that it would be a terrible thing to expand Sunday shopping in the slightest, but they really have not said very much about those who are working on Sundays now. I do not think the opposition is being particularly principled or particularly consistent in its position on this issue.

In some communities people will appreciate the greater flexibility offered by the local option. For shift workers, double-income or single-parent families, spreading shopping over the entire weekend could give them more time with family members. Some people find that shopping is in itself a family activity. There is absolutely no evidence that family life has suffered in Alberta or British Columbia or in the 25 communities in Ontario with a population of about five million people which have already chosen Sunday shopping through the tourist exemption.

I submit that the local option on Sunday opening is the best option for Ontario, the best answer to a difficult problem. It is an honest and straightforward approach. It responds to the increasing diversity of our communities and gives residents in them greater choice. It permits gradual rather than drastic change. Much like the bill that 38 years ago let municipalities decide on Sunday sports, the local option on Sunday shopping means that this decision will be made by the people who best understand the values of their community.

The Premier today quoted Premier Frost. I want to quote the Premier on February 8. Local

option “takes into account the diverse nature of this province. It allows municipalities to make decisions with respect to the unique natures of their own municipalities. It does not imply for a minute that the whole place would be wide open. That decision will be made by people who best understand the community values, varying from community to community.”

**Mr. Swart:** I am pleased to take part in this debate and I think we should make it clear immediately what we are debating. We are debating the issue of open Sundays. Oh, those people over on that side can go to almost any length to try to prove this is just local option. My leader gave the reasons why it is not local option. Once one goes, they will go like dominoes and they will all have it.

Just recently the Association of Municipalities of Ontario said that. They represent the municipalities that are going to be saddled with this and they say that this means open Sundays across Ontario. I want to say to the member for St. Andrew-St. Patrick (Mr. Kanter) that regardless of his arguments, I believe AMO before I believe his government because it has a vested interest in passing the buck. What AMO says I believe, and that is why we are debating this issue.

But we are debating more than that here. We are really debating the qualities of a government. I say to members on the other side that their government is displaying four pretty undesirable characteristics in proceeding with any bill to open Sundays, or do the same thing, they say, by referring the decision to the municipalities. I want to say that they are characteristics I deplore; in fact, I despise them. I think the people of this province do the same thing and I think that was shown in the London North by-election.

First of all, the government is breaking election promises and contradicting its prior statements. As has already been mentioned, we had the all-party committee which reported last May unanimously in opposition to wide-open Sundays. What the government has done now is a complete reversal; in fact, what the government has done is doublecross that committee. The surprising thing is that the Solicitor General, for the first time I have seen it, has doublecrossed herself because she was on that committee, and the public looks at it in that regard.

We had the statement of the Premier during the last election, on August 4. I have it in front of me: “Premier David Peterson said yesterday he has no plans to make major changes to Ontario’s controversial Sunday closing law.” Then he goes on to say, “My own view is you try as best you



can to reflect the value of society on an issue like that.” That was his argument against open Sundays.

The Premier of this province has not only done one total flip-flop; he has done two. In the 1985 provincial election, he was in favour of open Sundays. In the 1987 election, he was against open Sundays and now, six months later, he is in favour of them again. I suggest that is a pretty serious situation in the minds of the public, to make that kind of flip-flop twice, and that was reflected in the results of the election.

Even the statement of the Solicitor General has to be a classic. She is not in the House at the present time, but back during the last week of November last year, according to the *Toronto Star*, she said that to turn this back to the municipalities would be “the chicken way out.” One week later she does exactly that, does again a total flip-flop.

If you add to that the breaking of promises on education financing; if you add to that the breaking of promises on public housing; if you add to that the breaking of commitments on beer and wine in the grocery stores—and I am glad the government did on that one—I just want to say that the Peterson government is trying to outdo the Mulroney government in destroying its credibility.

The second point I want to make is that this government demonstrates a high degree of arrogance in going against public wishes. This is not a complicated matter about which you can say, “Well, the public out there doesn’t understand it.” It is not some matter of great human rights the public may be against. This was nothing but political expediency, because the polls at the time this government made its announcement showed that the majority of the public was in favour of it.

Of course, those polls have changed now. If you can put any credibility in what the Premier says, that his “own view is you try as best you can to reflect the value of society on an issue like that,” he would do another flip-flop. It is not hard for him to do it. The time has come when he should do it again.

I have here the results of a poll. I am not sure whether the poll is private, but the government has the results. It states: “A majority of Ontarians are now opposed to stores being allowed to stay open on Sundays, a reversal of the pattern found last August and a reversal of the pattern found last November.” We got this change for political expediency. It had nothing to do with principles.

If they are that committed to political expediency, they should make the change again.

I think any of us know from the mail we are getting that the public are opposed to what the government is proposing. I presented in this House last February a petition with 20,000 names on it from the Niagara Peninsula, only a section of the Niagara Peninsula, in opposition to what the government is doing. I have had hundreds of letters from people who are opposed to the open Sunday, to what the government is doing. I have not had one letter from any individual supporting open Sundays. I suggest that even the Liberal back-benchers, if they would get up and be honest in this House, would say that their mail is running far and away in opposition to open Sunday shopping.

Of course, in the by-election in London North which was just held, once again nobody can deny that Sunday shopping, what the government proposed, was a major issue. Nobody can deny that. What is their position there now? I think the member for Renfrew North (Mr. Conway) knows, as does everybody else in this House, that that was very much a judgement on what the people thought about the government’s proposals for open Sundays. There were other issues, sure—the issue of credibility was another issue—but it was very much a referendum on that.

#### 1650

There are shades of the Trudeau era in the arrogance this government is showing in going against the wishes of the people of this province. And you know, it is cheap buck-passing to give it back to the municipalities. It is nonsense to say that we cannot define tourist areas. We are dealing with legislation all the time that is not perfect. It cannot be perfect. Certainly the government can work out, if it wants to, legislation which is generally acceptable relative to tourist areas if it thinks it should. It cannot define the basic minimum wage absolutely accurately. It cannot define the minimum drinking age absolutely accurately. It cannot define policy on bitters or any of those things. It can define policy on tourist areas if it wants to. The government does not want to; it wants to pass the buck back to the local municipalities. That is the purpose of what the government is doing.

I also want to say that, unfortunately, this government is prepared to readjust the values of our society—those may sound like harsh words, but I suggest to the House that that is true—to give commercialism a higher priority and reduce moral and family standards. That was true with regard to the government’s proposal for beer and



wine in the grocery store as well. It could be demonstrated—oh, not to a great degree, perhaps—that that could be harmful to our society with a greater degree of drinking. Now, the government going to open Sundays is doing the same sort of thing. The United States has done all of this. You talk about jurisdictions here. Well, go to the United States and you will recognize that down there their standards are somewhat lower than they are here, whether in regard to crime, broken families, drugs, theft or rape. All crime is higher.

Finally, I just want to say that we all know that the churches in this province are unanimously opposed to opening on Sundays. We may not think this is a religious issue, and it is not. It is really an ethical issue; it really is a family issue. But they do to a very substantial degree set the moral values in our society. I think we should pay some attention to them and I think the government should withdraw this stupid bill.

**Mr. Cureatz:** It gives me a great deal of pleasure to again have the opportunity of participating in the debate in regards to this very contentious issue. It gives me great pleasure to think that, after the recess we have had, I have had the opportunity of coming back on our first day not only to participate in question period but now to participate in the debate concerning Sunday shopping.

I would be remiss not to congratulate the leader of the official opposition and my New Democratic Party colleagues for bringing forward the resolution so that all of us may concentrate for this afternoon some of the thoughts and ideas that we have in these chambers and so that the people at home might have the opportunity to evaluate what is taking place here.

It is interesting. We got a lot of criticism from that large Liberal majority government about the part that the Conservative Party played in regard to the free trade debate resolution. I can tell you that that Liberal resolution was supported by the New Democratic Party, and yet they were tolerant, as an opposition, to appreciate some of the major philosophical concerns we had about the resolution.

I say to my colleagues in the now opposition that there will come a time when there will be a particular issue that we will not be too sympathetic with but, indeed, with the kind of support and tolerance they showed us back over the Christmas holidays, I will be one who will stand in my place and show them that kind of support when that kind of issue comes forward. I am looking at members such as the member for Nickel Belt

(Mr. Laughren) and the member for Hamilton East (Mr. Mackenzie), who can get very agitated over labour issues. There will come a time—and members can rely on us—when those people want to make a point with that Liberal administration, and it gives me great pleasure this afternoon to stand up and support and work along with the NDP caucus. I thank them very much for allowing us this opportunity that we may work hand in hand, because I can remember back in 1985 another particular instance where they worked hand in hand with another group, much to my dismay. But there will be other times and other places, and I look forward to that opportunity when I am sure, I say to the House leader, there will be reconsiderations after the next election, when the people of Ontario bring forward and look at these broken promises.

I remind the people at home, you think about this debate three years from now, because we are going to be reminding you about the—well, I used to say the Four Horsemen of the Apocalypse, but I have been re-evaluating my stand on that. Indeed, over the last six months, I say to the House leader and the Minister of Health, I have been giving them much too much credit. That is not to say I do not appreciate the uniqueness of the individuals across there who are really running the show. I say to the back-benchers that they should go back and read my first speech on instructions to them on how to make their points heard to that front bench. No one, alas, has yet listened to me, but I am hoping.

I want someone from the back bench of the Liberal Party to stand up and tell me what really happened in the Liberal caucus about Sunday shopping. Let us really hear the story, or did the—again, it is not the Four Horsemen of the Apocalypse, because I was elevating them too high. Do members know what they are now? The Four Ponypeople of the Calamity. That is what they are around here.

They cannot get their act together with regard to issues that are affecting all the people of Ontario. This is the pass-the-buck routine, and I am so disappointed. I cannot believe it, actually, from those four intelligent individuals, whom I have gotten to know over the years, like the other old-timers who have been around. I think of the Premier. I can remember when the Premier sat in the second bench over here behind Stuart Smith. He was not even thought of as leader potential, never mind as Premier of the province. I can think of the Treasurer (Mr. R. F. Nixon). How can I knock him after all the years he has served in these chambers? How about the House leader



himself, a learned colleague of mine, elected about the same time as I was elected. Indeed, we enjoy the same areas of interest: historical context of Ontario, Canada and the United States. Indeed, I think of the Attorney General, whom I have not known long as a colleague, but I know that as a solicitor his fame has gone before him. Individually, they are fine people. It is the policies I am having trouble with.

I say to the House leader and to the Minister of Education (Mr. Ward), this policy in regard to Sunday shopping baffles the imagination. It is unbelievable. I had to choke down with laughter when the House leader spoke, criticizing us over here for—I remember the word—rhetoric. If there was one person in these chambers who has been accustomed to the word “rhetoric,” hour after hour, day after day, week after week, month after month, year after year, sitting in these opposition benches, rambling on at great length criticizing the Conservative government of Ontario and saying it should be listening to the people, I say to the House leader that it is the opposition’s time now and he should be listening to the people, because he knows full well that, as that by-election has shown, he is off base on this one. He really is.

I want to quote an interesting comment from another very learned, interesting person of these chambers, none other than myself. Lo and behold, I was in the forefront in leading the opposition to this. On December 1, 1987, when the Solicitor General—holly smokes; four minutes left and I am not even warmed up yet—and as critic I had the opportunity and stood up to her and said: “Thanks, at long last. Just before Christmas, we have got a statement from you, but the statement is nonsensical because you are passing the buck. You are not taking on the responsibility.”

There is going to be chaos across the province. Right here in Hansard it says that the Minister of Natural Resources (Mr. Kerrio) was yelling, “Oh, but Ontario is unique.” Of course it is unique, but the government is going to have chaos from municipality to municipality, from Newcastle to Oshawa to Whitby, up to Port Perry, into Toronto—

**An hon. member:** And North Bay.

**Mr. Cureatz:** —and North Bay. They are going to have a diversity that is going to be so complicated, people are not going to appreciate which area they can or cannot shop in.

Everyone has mentioned the Association of Municipalities of Ontario. I could go on at great length in terms of some of the problems that my

municipality sees. The city of Oshawa has complained in regard to an editorial in the Oshawa Times saying, “They are throwing it back in the Liberal lap.”

## 1700

The township of Scugog has addressed a letter to me indicating its displeasure about the manner in which this large Liberal majority government, this Trudeau-style government, has taken on this Sunday shopping issue. The town of Whitby has forwarded to me correspondence expressing its concerns.

What about across other interest groups? We can take a look at the letter from Citizens for Public Justice addressed to all members of the assembly concerned about the manner in which they are proposing Sunday shopping. I thank my seatmate of the Liberal Party, the member for Oxford (Mr. Tatham), for refreshing my memory on a particular incident that took place here in which the Minister of Labour, the Solicitor General and none other than the member for Sarnia took part in a debate regarding Sunday shopping.

It is lucky the Minister of Labour is not here. He would get all upset with me and shake his fist because it said here, “Waving a finger and raising his voice, he said—‘it sounds like somebody I know—‘I do not care if every store is open for every Sunday. We are not destroying our families. Our families are stronger than that.’ He went on in great anger, admonishing all who were participating in the debate.”

The government is showing signs that it cannot handle the flak. Why does it not bite the bullet a bit and say, “Look, we made a mistake.” To the Four Ponypeople over there, I say to the Minister of Mines (Mr. Conway), he should get together with the Premier, the Treasurer and the Attorney General.

Bill Davis used to have the breakfasts, which I was never invited to. I admit to that. I say they are not inviting any Liberal back-bencher to those breakfasts, which is fine. I am probably shedding some light now on how this place really operates. They used to meet at the Park Plaza. Maybe they meet at the Sutton Place. Have the breakfast and say: “Fellows, we blew this one. Our back bench is in revolt. They really did not want this in the first place. The municipal politicians are going out this fall to hammer the heck out of us, because if people are going to be demanding from the municipal politicians at election time what their stand is, they are going to be knocking you people from here to the next election.” I can hardly wait to wring my hands with glee.



Those people who presently work on Sunday have been mentioned. Do members think those people really want to work on Sunday? No doubt it adds a bit of cash income, but I bet on the whole they would much rather have that day of rest and be at home with their families. I think they would much rather at least have the opportunity to be at home and not be at the whim of municipalities across Ontario.

It grieves me to no end to think that those four intelligent individuals—I say to the former mayor of Brantford, the member for Brantford (Mr. Neumann), whom I got to know over one of our last little committee meetings down in Washington—it grieves me to think that with the kind of capability they have from the political instincts, the learned intelligence that they have gained over the years in these hallowed chambers, they cannot see the folly in their ways. I ask them, once and for all on behalf of the people in Durham East and all the people of Ontario, to re-evaluate their position. I am sure they will come up with a satisfactory conclusion, as the Conservatives did on their past—

**The Acting Speaker (Miss Roberts):** Order.

**Hon. Mr. Conway:** I want to take the opportunity this afternoon to participate in this debate that I have enjoyed very much indeed. I have listened with great interest to the interventions of my friends the member for Welland-Thorold (Mr. Swart), the member for Durham East (Mr. Cureatz) and elsewhere.

**Mr. Laughren:** No rhetoric now, no rhetoric.

**Hon. Mr. Conway:** My friend the member for Nickel Belt advises me to avoid the rhetoric, and I think that is good advice. I am happy to say that on this, as on so many other occasions, I will happily accommodate him.

I have listened very carefully to what my friends are saying. I am measuring what I am hearing against what I know to be the practice, both in terms of many of the communities I know in this province and what I know to be the long-standing practices in much of the public policy field in this province for many years. I cannot do much for the member for Durham East if he cannot stand the heat of a controversial public debate.

I am sorry the member for Welland-Thorold is leaving, since he was so free to offer opinions about what the verdict of last Thursday in London might mean with respect to the regulation of store hours. I ask him as he takes his leave whether he will come back here in three weeks' time and share with us what he thinks the verdict in Manitoba three weeks hence might say about

government-run auto insurance. I just throw out the challenge to my friend the member for Welland-Thorold, who has been so free with his advice on that subject over so many months and years, that I know, now that we have the benefit of his analytical insight on election results, he will want to come back here in three weeks' time, if for no other benefit than to share with our friend the member for York Mills (Mr. J. B. Nixon) what it is the member for Welland-Thorold thinks the voters of Manitoba will do on April 26.

I am sorry if the member for Durham East finds it difficult to have to make choices, to sometimes have to make tough choices, because, quite frankly, that is the nature of the business we are in and I do not have his difficulty. I do not have a lot of the other difficulties that he and some of his other colleagues, including the Leader of the Opposition and the leader of the third party, seem to have in this respect.

I live in rural, small-town eastern Ontario. Actually, I live in the city of Pembroke, but we are the heartland of the rural east. Now, this world that so many people are describing is a world that I have a difficult time finding. I hear the member for Durham East decry local option.

**Mr. D. R. Cooke:** Go home more often.

**Hon. Mr. Conway:** I say to the member for Windsor-Riverside that I will be returning to his views on this subject presently.

How can any self-respecting Tory stand up in this chamber and express upset about local option? From the beginning of the Whitney administration to the end of the Miller government, the Tory party in Ontario, with great effect and great irregularity, has held up local option as the solution for everything from the enormously controversial liquor problems of the earlier and later decades in this century to Sunday sport. So if it is true, as my friends in the opposition say, "No, no, talk not of local option," I wonder what Bill Davis and Howard Ferguson and all of those other wonderful Tories, including Les Frost, whose wonderful advice was recited here this afternoon, would say.

The genius of the Tories in the days of liquor policy was the genius of local option. I do not know what they are saying about their own past, but I find it passing strange that the Tory party in 1988 would express upset, disinterest, objection over local option. Surely my distinguished colleague and fellow graduate of Queen's University, the member for Durham East, knows better than all the rest of that group that local option is not only part of the mainstream of the



province's past but is also a very, very helpful mechanism to address the very considerable diversity in this province today.

To my friends in the official opposition, I have listened very carefully today and I have tried to avoid thinking that Brian Mulroney is right when he charges that the modern New Democratic Party has become front and centre of all that is reactionary and conservative in the land. I have listened to the New Democratic Party and I have listened to some say we need a pause day, and I have listened to others say, "Well, we've got to have some flexibility and we probably should have the tourist exemption," and then I recall that my friend the House leader for the New Democratic Party was reported in the Windsor Star, a journal which I always take very seriously, just a year and a half ago, as having said, "I am not absolutely convinced myself that Sunday shopping is something that should be halted."

Of course, the member for Windsor-Riverside understands that, because in his part of south-western Ontario he knows very well that while Windsor, using the local option of the tourist exemption, decides to remain closed, 15 or 20 miles away another community in Amherstburg makes a slightly different choice. The member for Windsor-Riverside knows from personal experience what the realities are.

I say to my friends in the opposition, I want some intellectual consistency. We may have our faults in this party, and I am the first to admit that, but I say to my friends from Hamilton East to Durham East, if they are opposed to local opinion, they had better have the guts and the consistency to stand up and be counted as being opposed to local option. That has surely got to mean that they are opposed and will remain opposed to what has been, over the last 12 years, the transparent local option of the Retail Business Holidays Act, which has been the tourist exemption.

In the words of one of my predecessors, the former member for South Renfrew and Minister of Mines in the Frost administration, the late James A. Maloney, "You can't suck and blow at one and the same time." They have to make a choice, I say to my friends, and I can appreciate their desire to want to have it both ways.

1710

**The Acting Speaker:** Order. The honourable member for Windsor-Riverside.

**Mr. D. S. Cooke:** On a point of privilege: The government House leader is making a big to-do about consistency. I wonder if he could, in his

last two minutes, tell us where the consistency is in the pre-election Liberal position and the post-election Liberal position.

**The Acting Speaker:** That is not a point of privilege.

**Hon. Mr. Conway:** The government is quite prepared to discharge its responsibilities. I can appreciate why my friend from Windsor-Riverside is nervous over there, because the record bespeaks his past commitment. The landscape is littered with the creative tension within the official opposition.

He does not want me to recite chapter and verse as to where it is, for example, the leader of the party stands in contradistinction to the member for Oshawa (Mr. Breaugh). He would not, for example, want me to recite a number of the other internal and external tensions.

But I say to my friends opposite, they have to make a choice. If they are opposed to local option, they had better be opposed to local option. They are not going to have the luxury of saying, "We're opposed to local option, for downtown Schreiber or in downtown Windsor or in uptown Chappleau—we understand that of course uptown Chappleau is different from downtown Bowmanville—and surely Queen's Park would want to recognize that." No big provincial government wants to come down four-square against the local rhythms of local communities.

I live in a community where we have had a closed Sunday, where we are going to continue to have a closed Sunday. Quite frankly, as a resident of the city of Pembroke, that is the way I want it. But 25 miles away, in the heart of the rural township of Grattan, we have a very large supermarket that has been open—my friend the member for Hamilton East might know what I am speaking of—and that municipality has opted, under local option—tourist exemption, call it what you will—to keep that open.

I say to my friends opposite, who are we to say that local communities, in the best tradition of Leslie Frost, ought not to do in those respects what it is they want to do?

**Mr. Farnan:** I welcome the opportunity to participate in this debate. I would like to start off simply by saying that by their actions and not by their words, you will know them. By their deeds and not by their words, you will know them.

I would like to put this measure to the government, the measure of integrity. In a democratic system of government, if we expect the citizens to have any degree of confidence in our system, if there is to be a sense of honesty and integrity in government, then there must be a



direct correlation between the platform during an election and the government's actions once elected.

Can we blame the citizens of this province if they view the acts and the actions of the government and the Premier as exercises in duplicity and deceit? If during the election they hear the Premier and the government enunciate one thing on Sunday shopping, and if after the election they see the government move in a totally different direction, it is not surprising at all that by the measure of integrity in government, the people of Ontario will say this government has failed and this government is unworthy.

There is a price for any government to pay that acts in such a manner.

Let me look at the measure of strength of character. I have heard so much expounded by the various government members about toughness in taking decisions. This is simply a façade of strength of character. What we have is posturing. We have the Marlon Brando mumble of the Premier. We have a mockery in place, in fact, as the government, acting in a role similar to Pontius Pilate, washes its hands of the decision and says: "We will not make the decision. We will pass it on to the municipalities." It is a mockery of the municipalities, because the municipalities themselves have said to the government that what it is doing is wrong.

To the back-benchers of the Liberal government: to some extent I feel regret and sorrow at the situation and the lack of ability of these members to make themselves heard. All the Liberals of the Waterloo region have gone on record as saying that they themselves are personally opposed to Sunday shopping. We all know that is what we are talking about: Sunday shopping, not the option. They are personally opposed, and Liberal back-benchers from across the province are personally opposed, yet they will sheepishly file in and support this direction, whose end result is wide-open shopping. I hope the people of Ontario will look at the lack of moral toughness in facing up to the decisions, in making known, in standing up and voting against this direction of the government.

Let us go to the measure of just listening to the people of Ontario. I would like to tell members of a forum on Sunday shopping that I hosted in Cambridge. There was a broad coalition of various groups within my community: church groups; local business improvement area associations, the downtown Business Improvement Association of Cambridge and the Golden Mile

Business Improvement Association; union groups; individual businessmen and workers; the chambers of commerce. The unanimous opinion of all these groups was that they were opposed to the municipal option and its consequence of wide-open shopping on Sundays.

In my constituency of Cambridge, I have received over 400 letters from individuals opposed to the Sunday shopping option. I have received several petitions from groups and thousands of responses to a questionnaire I sent throughout the community opposing Sunday shopping.

Independent businesses in Cambridge have let me know that they are opposed: Smitty's Fine Furniture store, Valenti's, Keleher's, Cambridge Honda, Cashway Building Centres, Tyssen of Galt, F. J. Brown and Son, Mil's Motors, Kirkham's Television and Appliances, Griffiths' Sports Centre, Grand River Toyota, Widmar Plumbing and Heating, Cambridge Keyboards, Perrin Building Materials Ltd., Highview Motors and Ridgehill Ford. These businesses used their own money and placed full-page ads in Cambridge local papers with a clip ad which individuals could send to my office expressing their disagreement with wide-open Sunday shopping.

Every segment of the community is saying to the province, "You are wrong;" and the province, this government, this Premier, is refusing to listen. It is a fact that people will accept governments making mistakes if the government will simply admit it made a mistake and attempt to remedy the situation. What the people of Ontario need not, should not and will not accept is a government that refuses to listen to the voices of all of the various sectors of the community saying: "You are wrong. Stop before it is too late."

In addition to all of these others, I want to come back to the church groups that have expressed opposition. I believe we are all indebted to the churches of Ontario for the service they have provided in developing the moral fibre that strengthens our society. I do not think that Christians and religious leaders need apologize for working to promote a common pause day. The traditional values that have been promoted by our churches, the values of family and worship, are integral to a healthy and strong Ontario.

**1720**

If the leaders of our churches are saying to the Liberal government, "For God's sake, stop; we think what you are doing is wrong," would the



government please listen to those religious leaders in our society, as well as all the other sectors of our community? By their actions, we will know them. By their actions, we will judge them. It is simply a fact that the people of Ontario have been lied to. There has been dishonesty. The government says one thing and does something else. That is the measure of dishonesty.

There has been a cowardly approach on the part of the government. They talk about tough decisions, but this is the most cowardly approach I have witnessed since I entered this House, the government washing its hands and saying: "This is a tough decision. We do not want to carry the ball. Let's give it to the municipalities. Let them take the heat." The municipalities are saying no, it should be a provincial decision. Finally, there is the whole area of being insensitive to the people of Ontario, refusing to listen.

If there is any quality that I personally think represents the democratic process, it has to be politicians who are sensitive to and willing to lend their ear to the voice of the people they represent. A government that does not listen to the people it represents is not only insensitive and unhearing; it is arrogant. It is saying to the people, "We know what is best for you." This, of course, will not be accepted by the people of Ontario.

On all of these measures, the government has failed. I urge members of the government and members of its back benches to please consider the responsibility they have to the people they represent, to the businesses, to the union workers, to the churches, to the single mothers, to the children of this province, to the traditional values that have made Ontario strong. Please support them.

**Mr. J. M. Johnson:** I am pleased to participate in the debate today. In fact, I do not think there is an issue that has come before this House in some time that has been more controversial in my riding than this single issue. I have had many years of experience in the retail business; over a quarter of a century. I also served on municipal council for several years. I know the impact on the retail businesses and also on the small municipal councils that will be faced with making this very serious decision that our House leader suggests would be in their best interests.

I feel I can speak on behalf of my constituents because I do not think I can recall receiving a single letter or phone call expressing support for this government's initiative. I have received

numerous, many hundreds, opposing this proposition of local autonomy and local option. Of 21 local municipal councils, one of the councils passed a resolution condemning the government for taking this approach. It has been endorsed by many of the municipal councils in my riding and I assume the vast majority of them will support it before the time is out.

I might mention the Association of Municipalities of Ontario meeting. "'Sunday shopping is not a municipal option,' they state. In a nearly unanimous vote, three dissenting, the board of directors of the Association of Municipalities of Ontario reaffirmed the municipal position on Sunday shopping.

"The board of directors resolved that the Premier and executive council of Ontario be advised that the Association of Municipalities of Ontario maintains its position that municipalities should not be charged with the responsibility of regulating retail store hours on Sundays and holidays."

They made it quite clear that they do not wish to take on this responsibility. They feel that the government, instead of weaselling out, should carry the load and make the decision based on the best interests of all the province and not individual municipalities.

The House leader takes a great deal of pleasure out of the fact that some of the members in opposition are supporters of local autonomy and I, for one, am very strongly supportive of that. I say to the minister, if he wants to give them this role of making a decision based on the Sunday shopping issue, what about more control of their planning, their local municipal bylaws pertaining to planning, to land severances, to acquiring and attracting industry and commercial business ventures into their communities? The government takes that away from them; it is maintained in the Ministry of Agriculture and Food or the Ministry of Municipal Affairs.

If the government does wish to give local autonomy, then it should give it where it means something and not cop out on this issue. The government has itself in a bind. It does not know how to handle it, so it turns it over to the local municipalities, and it knows they do not want it.

**Hon. Mr. Conway:** What's the tourist exemption if not a local option?

**Mr. J. M. Johnson:** The Solicitor General said that it would be the chicken way out to go that route. I believe it was towards the end of November that the Solicitor General said it would be the chicken way out to turn it over to the municipalities. Then on December 1, 1987—



**Mr. Villeneuve:** She turned chicken.

**Mr. J. M. Johnson:** —she turned chicken and said “it is the intention of the government to introduce in the new year legislative changes allowing individual municipalities to regulate Sunday openings.” Perhaps the chickens will come home to roost, and maybe they already started to do so just last Thursday. I hope this is only the first of many of the chickens returning.

The Liberal government mentions the fact that it is so open, that it believes in listening to people and responding to their wishes. It brags about an open government. The Canadian Conference of Catholic Bishops sent out a memo which most of us received. They state: “We urge the government to heed the appeals of families, workers and business leaders and to reverse its policy of local option. We believe that only province-wide policy will protect the family values which we and many other concerned citizens consider to be unquestionably at stake.”

It is supported by the churches, the unions, the retail merchants, the municipalities and hundreds and thousands of our citizens, and of course, the Conservative Party of this province.

**Hon. Mr. Conway:** Bingo is doomed.

**Mr. J. M. Johnson:** I guess since the debate was initiated by the New Democratic Party, we will give it credit too.

**Mr. McLean:** It's our issue.

**Mr. J. M. Johnson:** The Treasurer, at a recent rural session of the Association of Municipalities of Ontario, refused to consider the request by the municipalities to discard this ill-conceived idea.

I think some of the members will remember that in the House on February 10, I asked the Minister of Consumer and Commercial Relations, who is away settling beer prices, whether he would consider Sunday opening for Liquor Control Board of Ontario stores. He floundered around and made a couple of stupid statements, and then after being corrected by staff of the Premier reversed himself and said that indeed the government would not permit the sale of alcohol even in municipalities that opted for Sunday shopping.

When I questioned him the next day in the House, he said, “We think that the number of hours that the liquor stores are open now is appropriate and we do not contemplate a change.”

1730

If six days is enough time to sell liquor, and I concur that it is enough time, it is also enough

time to sell most retail products, so we do not need a seven-day week for retailers.

At the recent conference of the Association of Municipalities of Ontario that I referred to, the Minister of Municipal Affairs (Mr. Eakins), the former Minister of Tourism, said—he said something, I am sure—in referring to the Sunday opening: “The current situation has been a hodgepodge. The tourist-area option to open is important because of the emphasis on tourism in Ontario, and if you don't want to be open, you don't have to be open.”

That is an idiotic statement on its own, because any retail merchant who is faced by competition that is open has to open his store or he goes out of business.

Second, if he is so concerned with open Sundays to provide business for tourism, what kind of a hodgepodge of affairs will we have where one town is open and one town completely closed? The options now are much better the way they are.

**Hon. Mr. Conway:** So you are opposed to the tourist exemption. That is simple; nothing wrong with that; you are opposed to the tourist exemption.

**Mr. J. M. Johnson:** I suggest to the House leader that there is not anything wrong with the present legislation that an all-party committee could not sit down and revamp to make the very small changes necessary to make it satisfactory to the vast majority of the people of this province, with the exception of a few furriers.

In a plebiscite to ask the question, “Are you in favour of Sunday shopping?” the answer for most people would likely be that they would not mind Sunday shopping. But if you ask them the next question, “Would you like to work on Sunday?” the answer nearly always is no.

**Hon. Mr. Conway:** But I do. I'd rather not, but I do.

**Mr. J. M. Johnson:** That includes you too.

I must mention, since my good friend and colleague the member for Guelph (Mr. Ferraro) is in attendance, that there is an excellent article in the Guelph Royal Tribune stating that the member received a 7,700-name petition opposing Sunday openings. I was very pleased that he presented the petition to the House this afternoon. I know that he supports that petition and that he will do the best he can to convince his stubborn front-benchers to listen to the good views of the majority of the back-bench Liberals, who strongly support the family tradition of Sunday as a day of rest.



I look forward to those people taking the lead to convince their white knight from London not to try to lead us into the 20th century but let us meander into it in our own way.

**Mr. J. B. Nixon:** I rise with some degree of honour to be allowed to participate in this debate. I have had it put to me, this House has had it put to it by the opposition, that it is a matter of urgent public importance requiring immediate consideration.

I would just like to suggest that the rules of the game were enforced last Sunday under the Retail Business Holidays Act and the rules of the game will be enforced next Sunday. Quite frankly, they are not changing today or tomorrow and there is no big public urgency which demands this debate.

None the less, we are happy to participate. They think it is important. Quite frankly, the gallery is not full. No one else has deemed it to be important.

In his opening, the Leader of the Opposition alleged that the government has breached its promise by allowing wide-open Sunday shopping. He alleges that this government's policy is driven by the interests of commercialism.

At the outset, I want to suggest three things: (1) the government has not breached its promise; (2) the government has not allowed wide-open Sunday shopping; and (3) this government's policy, as opposed to the nonpolicies of both the opposition parties, is driven by a very important policy: that is the principle of democracy, the principle upon which we were all elected. In its particular form in this debate, that principle of democracy is the local option.

It is not a principle without predecessors. It is not a principle that we created, as our House leader has told you. It is a principle which informed the Ontario Liquor Licence Act back in 1885. It is a principle which informed the Lord's Day Act. It is a principle which the then Premier, Leslie Frost, relied on. The Premier today, Premier Peterson, has referred us to Premier Frost's comments. I would like to reiterate them.

Back in 1950, when local option had been alive already in Ontario for 65 years, Premier Frost said: "I do not think, Mr. Speaker, anything could be more flexible than that to meet the great requirements and the varying conditions in this province. It is strictly democratic. The matter is placed in the hands of the people themselves and in the absolute control of their elected councils. There is nothing wide-open about this act. It does nothing to induce any community to change its

pattern of life. It enables the people to settle their own affairs in their own way"

I would add, in their own community, something that we believe is a very important democratic principle. We, as a government, are not prepared to impose our will on the 850 communities in this province. Members opposite may wish to do so. I can only think of the article in the Globe and Mail on the weekend about the authoritarian nature of some elected officials. We are not like that, we do not impose our will. The people in the community choose the way they want to live.

My friends over there really have fallen into bed with the Association of Municipalities of Ontario. I think in the last session they accused them of being a bunch of Tory hacks, now they are in bed with them.

**Mr. Wildman:** Never said that.

**Mr. J. B. Nixon:** Perhaps you did not, but your friend behind you did.

**Mr. Wildman:** I was talking about the mayor of Sudbury.

**Mr. J. B. Nixon:** In fact, let me tell you what the mayor of Kingston, the former past-president of AMO, had to say about local option. He said: "Just because it is a hot potato does not mean that the municipalities should not decide it. That is what we are elected for. We are closer to the electorate and, if we are as mature as we say we are, then we should be taking the responsibility. We are always out there asking for more political autonomy"—these are the local municipalities—"at the local level and now here is the province giving it to us."

Quite frankly, a man who represented AMO to the entire province is saying he is closer to the people as an elected representative than the provincial politicians. We believe that. That is the policy that informs this policy.

Some people have talked about the domino effect that this legislation will have and previous speakers have mentioned that there are already 25 municipalities which have relied upon the tourist exemption to open their areas for Sunday shopping and over five millions Ontarians have access to that Sunday shopping, and yet the other municipalities have not fallen like dominoes. They stand with their own local opinion being expressed in their local bylaws and their local rules. Point Edward is wide open. Sarnia is closed. Innisville is open. Simcoe is closed. St. George is open. Brantford is closed. Brantford, Sarnia and Simcoe have not fallen. But yes, I do say the existing law is not working and let me tell you why.



**The Acting Speaker:** Order. I would request the speaker to remember to address all his comments to and through the Speaker.

**Mr. J. B. Nixon:** Thank you, Madam Speaker.

The existing law has what is known as a tourist exemption, and the tourist exemption quite simply states that a municipality, where it is essential for the maintenance or development of a tourist industry, may exempt that municipality or a regional portion of that municipality from the application of the Retail Business Holidays Act.

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The problem, of course, has always been in determining what is a tourist area and what is not. I have heard the Minister of Tourism and Recreation (Mr. O'Neil) stand up and say, "I defy any member of this House to tell me that some place in his constituency cannot be considered as a matter of law a tourist region." Every community in this province believes it has a tourist industry to develop, that tourists do come to that community because it is particularly attractive. Who has the right, in this provincial government, I ask, to say no to them?

The problem with the definition in the law is that you get the type of system which the Globe and Mail describes as follows: "Local municipalities have the power, where it is essential for the maintenance or development of a tourist industry, to allow stores in a certain location to open on Sundays. Metro Toronto has decided that Chinatown, Harbourfront and Markham Street Village may open, but that Yorkville and the Eaton Centre may not."

That is the decision of the municipality of Metropolitan Toronto, but we have been informed very clearly of the inequity and unfairness of that law and the way the tourist exemption is applied. For instance, let us remember Mr. Magder, who had to go to the Supreme Court of Canada because he was selling fur coats 300 feet north of Chinatown, outside the tourist area, while another merchant in Chinatown was selling fur coats within the exempted tourist area. That is one of the obvious inequities and unfairnesses of that law in its application.

Both leaders of the opposition parties and the speakers they have marshalled have told us there is a wellspring of support for their point of view and that all the newspapers and their editorialists are crying out in opposition to our plan to extend the democratic principle of local option to the municipalities, to the local communities where it belongs. I find that hard to believe.

I looked at the quote in the Toronto Sunday Sun: "The local option approach recognizes that the same lifestyle does not apply uniformly across this province." The Kingston Whig-Standard: "It would give us more control over our lives." The Oshawa Times—the member for Oshawa (Mr. Breaugh) should listen to this one—"Apparently it is quite all right to decide whether umpteen million dollars will be spent on building a new street"—i.e., it is all right for a municipality to decide that—"but it is too difficult to decide whether stores will be open for five hours on Sunday."

The editorials go on, but these are the people in the members' communities whom they have chosen to ignore, the people in their communities to whom they say: "I know what's better. I will impose my will upon them. I will not allow them to make a choice." That is what it is all about. That is what democracy is all about and that is how it works, but some people have not yet recognized it.

**Mr. Breaugh:** But they will.

**Mr. J. B. Nixon:** The member will. I look forward to that day.

**Mr. Mackenzie:** I am pleased to participate in this debate on Sunday work by local option; that is exactly what it is. I listened with some interest to the member for Renfrew North (Mr. Conway) and, more recently, to the member for York Mills (Mr. J. B. Nixon)—although he did not use the expression, it was used by the member for Renfrew North—say that you cannot suck and blow at the same time; then I heard two classic examples of it from both of them in their presentations.

I find this local option interesting, the idea that you are somehow or other undemocratic if you do not want to abide by this local option. We certainly had a stirring defence from the government House leader of local option and why it should be and why this was democratic. I just remind him, though, that he is insisting on the local option for a bunch of municipalities which made it very clear they do not want it. I really wonder at the democracy he is talking about in this particular kind of proposition.

The other thing I notice in his comments is that it is not really a debate on option. I think they destroyed that argument themselves. It is a debate for Sunday shopping, and that is clearly what this government is coming down on the side of. They are just trying to disguise it with the local option argument.

I differ from this party and the Premier on the Sunday shopping or Sunday work issue simply



because my constituents do know where I stand on it. They know what I have told them and what I said during the campaign. We do a lot of communicating back and forth with my constituents, and they know I am not likely to change that overnight. That is not what they know from this government, because they had a fairly clear indication that this was not the route we were going from no less than the Premier himself and certainly comments from some of the other cabinet ministers in their past roles in committees before they took on their new responsibilities.

What do we have them now saying? We have them doing an about-face. I wonder. My constituents may not like it or they may like it, but they know where I stand and they know I am good for my word. They no longer know that about the Premier and this government.

I want also to say very clearly the idea that you cannot have some kind of a domino effect—and I do not argue that will happen in every case—is a false one. I know what will happen in my constituency. There we have the major city of Hamilton, a number of shopping malls that reach out into the suburbs and major communities in Ancaster, Dundas and Stoney Creek. Let me tell members right now, first off, there is really not enough business to open it up for one more full day of shopping. I am not sure what they all gain out of it but I do know the way the marketplace works.

The minute one of those communities—I will take, for the sake of argument, Stoney Creek, and we have had the experience before some of the current legislation—decides it is going to open and make a local council decision to that effect, initially there is some more business for it because there are people who will take advantage of that Sunday shopping. But it is exactly that move which starts the ball rolling, and whether it takes a few weeks or a few months, that is about as long as it will go before the government will get the argument from the other communities that, "We did not want it, we did not initiate it but we cannot afford to see our business go out to Stoney Creek."

That is exactly why the government will then have the other municipalities coming on side. It is what will apply, certainly in Metropolitan Toronto, I suspect, and in most of Ontario. Some individual areas may hold out but not too many of them. So the government is forcing the issue on the other municipalities in Ontario. I do not think it is an approach that behoves this government, particularly, as I said at the beginning, when this is certainly not what it told the people it was

going to do and not what the public in Ontario, I am convinced, expected from it when it was elected.

Also, it seems to me that there is an awful lot of emphasis always put on what may be good for business. There are an awful lot of working people involved. The member—I forget the riding—in the back row opposite there may have had lots of letters saying they want the option. I too can say, I think totally honestly—I am just wondering if I may have missed one letter because we have had a lot of correspondence—I have had all kinds of letters opposing it and all kinds of petitions opposing it. I cannot at the moment bring my mind to one single letter I have had supporting it. I have heard some of the arguments, not in a letter to me but from some of the business people who would like to see the wide-open shopping on Sunday but I certainly have not heard it from the ordinary workers.

I know that their organizations, whether it is the Ontario Federation of Labour, the United Food and Commercial Workers' Associations and the Retail, Wholesale and Department Store Union or unions that are not directly involved in that field—the Canadian Auto Workers and the Steelworkers of America—have all, at their conventions and through the OFL, opposed this wide-open Sunday shopping. They do not see it as being in the interest of workers.

We had a recognition, even by this government, as bad as the bill may have been, that we might need some additional protection for workers in this province as well, to try to protect them if they decided they did not want to work on Sunday. As I tried to point out then, I will try to point out once again to the people in this room, in the retail trade, which will be most affected by this opening, we already have a major move to part-time. It is cheaper and easier for the major retailers to go the part-time route.

We already have a fight developing in the fact that where most of them used to get 30 hours, they have been cut down to 24 hours. In my town it is being cut down to 20 hours in many of these stores. So you get an employee who has a little bit of gumption and says, "Hey, I have not worked on a Sunday up until now. I do not now want to start working on Sundays," and the boss says, "Yes, you had better." They have enough gumption that they say, "No, I am not going to." He does not have to fire them outright. When the worker finds those hours—and that may have been all he wanted—the 20 hours suddenly cut to 16 or 12—and I have had them use that tactic to get rid of people without firing them—he has



achieved exactly the same thing. It does not take long before the message is there.

1750

I think that what we have to stop and think about in this society is just how much of a caring and decent and civilized society we want. This one issue is not the be-all and end-all, but I think working towards more leisure time is probably one of the most important things that can happen in our society today. I do not particularly want to import the experiences in the US of the wide-open shopping into this country. When we force more people to work in a trade where employers can make it even cheaper by going the part-time route and the low-wage route, we do a real disservice to our people in terms of a caring, decent society.

I do not think the extension of the hours is the right way to go. I do not think it is an honest way to go. I do not think it helps and I think there is real value in the argument that we are all entitled to a pause day or a day of rest, whichever day that may be. But I think the only way you are going to run things in a country like this is by deciding on one day. The tradition is there in this country, and that is the Sunday.

I have letters that I could read, like the others can. I thought the one from the church just around the corner from my constituency office, St. Paul's United, was very telling, and 42 members of the congregation signed it. I do not have time to read it into the record but I would like to. It is a very good one. I thought a letter that I got from a Marsha Macdonald of Balmoral Avenue in my riding, a part-time retail worker, one of those I have been talking about, was very effective. I was impressed and I know my leader read some of it into the record.

One of the better letters, and I hope all members got it, from Janice Rothwell in my riding, told the story the way it should be told. I like the statement of the Canadian Conference of Catholic Bishops. I think it told very clearly how it should be. I know how my municipality voted and I know what Hamilton city council and regional council have said to me: "Take a position against this." That is what they have asked me to do. If it is a tough issue, I do not always take a position the way they want me to but, in this issue, they happen to be right. They happen to be thinking about a more caring and decent and civilized society. That is not what we are getting by opening society wide open in this province. I do not think we are doing the right thing if we do it.

I ask this government to stop and think for a minute. I do not think this is the issue the government was elected on or will fall on, although certainly it was an issue, and the government's position now is different than when it was elected. I am asking them to stop, have a little bit of care and not say, "Local option, if we want it, you've got it," as one of my colleagues said, which is literally what this particular bill does. It may be time that they backed up a bit and said: "We are not going to push this. We are going to put it on the back burner for three or six months. We are going to take another look at it and have a little bit more debate."

What does the government have to lose in this issue? What is so immediate and overwhelming about it that they cannot back off a little bit? It may not be what I want politically, but I suspect the government would earn one hell of a lot of credit and a lot of people's good feelings if it was willing to back off and take a look at this issue. I think it would then be doing the right thing.

**Mr. McLean:** I take the opportunity to rise today to speak on this very important resolution. This could be one of the most controversial items that this government will ever have the opportunity to deal with.

I remember last September when the Premier indicated that there should not be any great concern or any great change with regard to the Sunday shopping legislation. I am also quite aware of the speeches he has been making since then. I think there are some things in life called integrity, honesty and forthrightness. I find it hard to accept the flip-flops on the government's position on Sunday shopping. Not only that, but when I think of our children and our grandchildren, I am greatly concerned about that also.

At one time I had to work on Sundays, something I did because of the type of job I had. It was a pleasure when the day came when I did not have to do that. However, today, when we look at people who are working part-time and who have to work on Sundays, their job is on the line if they do not do it. I think of the single parent. I think of the family, when one has to work on that Sunday.

I am also aware of the stance that has been taken by the House leader with regard to what he has said about what is happening across the province, what he is concerned about across the province and what he is aware of in eastern Ontario.

Our party had a task force that travelled the province and looked in depth and had hearings



across the province with regard to Sunday openings. This was some time ago, when it was really not an issue. We listened to the people. We listened to what they had to say in Orillia, we listened to what they had to say in Windsor and we listened to what they had to say right across the province. What we were getting back at that time was, "No, we are not in favour of Sunday shopping."

I believe that two years ago, the task force of the government that brought in a report which the Solicitor General signed said the same thing. Here we are today debating an issue the Premier has said he is going to go ahead with, regardless really of what the people are telling him. I think the people told him last Thursday what they think of his idea. They changed a 17,000 plurality to a loss of approximately 3,500. I think the people of London Centre and London North spoke very clearly about what they think of this very issue and other issues pertaining to education and housing and government funding.

On December 1, 1987, the Solicitor General said that the report of the select committee on retail business hours was idealistic. That, to my way of thinking, is not what they said when they signed that original report, that they did not agree on Sunday hours for stores.

When I look at the tourist exemption that is in the present legislation, I think an all-party committee could deal with that, could change that, could perhaps broaden it, and it would suffice. The Association of Municipalities of Ontario across this province has indicated it does not agree with its being turned back to the municipalities.

I remember one time, as head of a municipality, when we had a vote on very important business within our community. There was a split vote and I, as reeve, had to break that tie. It is not nice when you are in that position. That is what is happening right across the province today.

I know of many areas where, if one municipality were open, the other municipality would be forced to open because of the competitiveness of business. Not only that, but I certainly support an all-party committee whereby we could sit down and broaden the present legislation we have. I would hope that the back-benchers would see fit.

**The Acting Speaker:** The time for this debate has now expired. It now being six o'clock, this House stands adjourned until 1:30 p.m. on Wednesday, April 6.

The House adjourned at 6 p.m.

## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Oriole L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)  
**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
**Grandmaitre, Hon. Bernard C.**, Minister of Revenue (Ottawa East L)  
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)  
 Haggerty, Ray (Niagara South L)  
 Hampton, Howard (Rainy River NDP)  
 Harris, Michael D. (Nipissing PC)  
 Hart, Christine E. (York East L)  
 Henderson, D. James (Etobicoke-Humber L)  
**Hošek, Hon. Chaviva**, Minister of Housing (Oakwood L)  
 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
 Johnston, Richard F. (Scarborough West NDP)  
 Kanter, Ron (St. Andrew-St. Patrick L)  
**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
 Keyes, Kenneth A. (Kingston and The Islands L)  
 Kozyra, Taras B. (Port Arthur L)  
**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
 Laughren, Floyd (Nickel Belt NDP)  
 LeBourdais, Linda (Etobicoke West L)  
 Leone, Laureano (Downsview L)  
 Lipsett, Ron (Grey L)  
 Lupusella, Tony (Dovercourt L)  
 MacDonald, Keith (Prince Edward-Lennox L)  
 Mackenzie, Bob (Hamilton East NDP)  
 Mahoney, Steven W. (Mississauga West L)  
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 Martel, Shelley (Sudbury East NDP)  
 Matrundola, Gino (Willowdale L)  
 McCague, George R. (Simcoe West PC)  
 McClelland, Carman (Brampton North L)  
 McGuigan, James F. (Essex-Kent L)  
 McGuinty, Dalton J. (Ottawa South L)  
 McLean, Allan K. (Simcoe East PC)  
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 Miclash, Frank (Kenora L)  
 Miller, Gordon I. (Norfolk L)  
 Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)



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 Nixon, J. Bradford (York Mills L)  
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 (Brant-Haldimand L)  
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 Offer, Steven (Mississauga North L)  
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 Owen, Bruce (Simcoe Centre L)  
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 the Committees of the Whole House (Prescott  
 and Russell L)  
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 Poole, Dianne (Eglinton L)  
 Pope, Alan W. (Cochrane South PC)  
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 Rae, Bob (York South NDP)  
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 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Reyecraft, Douglas R. (Middlesex L)  
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 Roberts, Marietta L. D., Deputy Chairman of the  
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 Ruprecht, Tony (Parkdale L)  
**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)  
 Smith, David W. (Lambton L)  
**Smith, Hon. E. Joan**, Solicitor General  
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 Sola, John (Mississauga East L)  
**Sorbara, Hon. Gregory S.**, Minister of Labour  
 (York Centre L)  
 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
 Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)  
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 and Social Services (Kitchener-Wilmot L)  
 Tatham, Charlie (Oxford L)  
 Velshi, Murad (Don Mills L)  
 Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)  
**Ward, Hon. Christopher C.**, Minister of  
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 Wildman, Bud (Algoma NDP)  
**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)  
 Wiseman, Douglas J. (Lanark-Renfrew PC)  
**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)  
**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)  
 Vacancy: London North

### EXECUTIVE COUNCIL

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 Nixon, Hon. Robert F., Deputy Premier, Treas-  
 urer of Ontario and Minister of Economics  
 and Minister of Financial Institutions  
 Conway, Hon. Sean G., Minister of Mines  
 Bradley, Hon. James J., Minister of the Environ-  
 ment  
 Scott, Hon. Ian G., Attorney General  
 Riddell, Hon. Jack, Minister of Agriculture and  
 Food  
 Eakins, Hon. John F., Minister of Municipal  
 Affairs  
 Kerrio, Hon. Vincent G., Minister of Natural  
 Resources  
 O'Neil, Hon. Hugh P., Minister of Tourism and  
 Recreation  
 Sweeney, Hon. John, Minister of Community  
 and Social Services  
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 Wrye, Hon. William, Minister of Consumer and  
 Commercial Relations  
 Grandmaitre, Hon. Bernard C., Minister of  
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 Curling, Hon. Alvin, Minister of Skills Develop-  
 ment  
 Fulton, Hon. Ed, Minister of Transportation  
 Kwinter, Hon. Monte, Minister of Industry,  
 Trade and Technology  
 Oddie Munro, Hon. Lily, Minister of Culture  
 and Communications  
 Sorbara, Hon. Gregory S., Minister of Labour  
 Caplan, Hon. Elinor, Minister of Health

Fontaine, Hon. René, Minister of Northern Development  
 Ramsay, Hon. David, Minister of Correctional Services  
 Smith, Hon. E. Joan, Solicitor General  
 Ward, Hon. Christopher C., Minister of Education  
 Hošek, Hon. Chaviva, Minister of Housing  
 McLeod, Hon. Lyn, Minister of Colleges and Universities  
 Patten, Hon. Richard, Minister of Government Services  
 Phillips, Hon. Gerry, Minister of Citizenship  
 Wong, Hon. Robert C., Minister of Energy  
 Mancini, Hon. Remo, Minister without Portfolio  
 Wilson, Hon. Mavis, Minister without Portfolio

#### PARLIAMENTARY ASSISTANTS

Bossy, Maurice L.: assistant to the Minister of Housing (Chatham-Kent L)  
 Campbell, Sterling: assistant to the Minister of Mines (Sudbury L)  
 Chiarelli, Robert: assistant to the Chairman of the Management Board of Cabinet (Ottawa West L)  
 Collins, Shirley (Ms.): assistant to the Minister of Labour (Wentworth East L)  
 Cordiano, Joseph: assistant to the Minister of Intergovernmental Affairs (Lawrence L)  
 Ferraro, Rick E.: assistant to the Minister of Industry, Trade and Technology (Guelph L)  
 Haggerty, Ray: assistant to the Minister of Consumer and Commercial Relations (Niagara South L)  
 Hart, Christine E. (Ms.): assistant to the Minister of the Environment (York East L)  
 Henderson, D. James: assistant to the Minister of Colleges and Universities (Etobicoke-Humber L)  
 Kanter, Ron: assistant to the Solicitor General (St. Andrew-St. Patrick L)  
 Keyes, Kenneth A.: assistant to the Minister of Health (Kingston and The Islands L)  
 Kozyra, Taras B.: assistant to the Minister of Northern Development (Port Arthur L)  
 Lupusella, Tony: assistant to the Minister of Transportation (Dovercourt L)  
 McGuigan, James F.: assistant to the Minister of Natural Resources (Essex-Kent L)  
 Miller, Gordon I.: assistant to the Minister of Agriculture and Food (Norfolk L)  
 Morin, Gilles E.: assistant to the Minister of Community and Social Services (Carleton East L)  
 Neumann, David E.: assistant to the Minister of Municipal Affairs (Brantford L)

Nixon, J. Bradford: assistant to the Minister of Financial Institutions (York Mills L)  
 Offer, Steven: assistant to the Attorney General (Mississauga North L)  
 O'Neill, Yvonne (Mrs.): assistant to the Minister of Education (Ottawa-Rideau L)  
 Pelissero, Harry E.: assistant to the Minister of Tourism and Recreation (Lincoln L)  
 Polsinelli, Claudio: assistant to the Minister of Treasury and Economics (Yorkview L)  
 Ruprecht, Tony: assistant to the Minister of Citizenship (Parkdale L)

#### STANDING COMMITTEES

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Finance and economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. Ferraro; members, Messrs. Haggerty, Kozyra, Mackenzie, McCague, Morin-Strom, Neumann, J. B. Nixon, Pelissero and Villeneuve; clerk, Franco Carrozza.

General government: chairman, Mrs. Stoner; vice-chairman, Mr. Mahoney; members, Mr. Black, Ms. Bryden, Messrs. Charlton, Daigeler, Mrs. Marland, Messrs. Matrondola, McLean, Owen and M. C. Ray; clerk, Deborah Deller.

Government agencies: chairman, Mr. McLean; vice-chairman, Mr. Jackson; members, Messrs. Black, Breaugh, Dietsch, Furlong, Lipsett, Miss Martel, Messrs. Runciman, South and Velshi; clerk, Douglas Arnott.

Legislative Assembly: chairman, Mr. Epp; vice-chairman, Mr. Morin; members, Messrs. Breaugh, Cordiano, Faubert, J. M. Johnson, McClelland, Polsinelli, Sterling, Mrs. Sullivan and Mr. Swart; clerk, Smirle Forsyth.

Ombudsman: chairman, Miss Nicholas; vice-chairman, Mr. Elliot; members, Messrs. Bossy, Carrothers, Charlton, Elliot, Henderson, Lupusella, MacDonald, McLean, Miss Nicholas, Messrs. Philip and Pollock; clerk, Todd Decker.

Public accounts: chairman, Mr. Philip; vice-chairman, Mr. Pouliot; members, Messrs. Balinger, Carrothers, Dietsch, Mrs. Fawcett, Miss Martel, Messrs. Offer, Pope, Runciman and Smith; clerk, Douglas Arnott.

Regulations and private bills: chairman, Mr. Fleet; vice-chairman, Mr. Beer; members, Mr. Cleary, Mrs. Fawcett, Messrs. McCague, Pollock, Pouliot, Ruprecht, Smith, Sola and Swart; clerk, Tannis Manikel.



Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Wildman; members, Mr. Brown, Ms. Collins, Mrs. Grier, Mr. Leone, Mrs. Marland, Messrs. McGuigan, Miclash, Miller and Wiseman; clerk, Todd Decker.

Social development: chairman, Mr. Adams; vice-chairman, Mrs. LeBourdais; members, Messrs. Allen, Campbell, Cousens, Jackson, R. F. Johnston, McClelland, McGuinty, Mrs. O'Neill and Mr. Tatham; clerk, Franco Carrozza.

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Fawcett, Messrs. Harris, Morin and Offer; clerk, Deborah Deller.

Education: chairman, Ms. Poole; vice-chairman, Mr. Reycraft; members, Messrs. D. S. Cooke, Furlong, Jackson, R. F. Johnston, Keyes, Mahoney, Miclash, Mrs. O'Neill and Mr. Villeneuve; clerk, Lynn Mellor.

Energy: chairman, Mr. Carrothers; vice-chairman, Mr. McGuigan; members, Messrs. Brown, Charlton, Cureatz, Mrs. Grier, Messrs. Matrundola, M. C. Ray, Runciman, South and Mrs. Sullivan; clerk, Tannis Manikel.

\*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 41

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**

Wednesday, April 6, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, April 6, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### MINISTER'S ANNOUNCEMENT

**Mr. Breaugh:** Today I have a present for the government House leader. It is a map of the Legislative Assembly itself.

Yesterday there happened to be a little problem outside. The Minister of Housing (Ms. Hošek) forgot where she was. Instead of making a ministerial statement in this area in red, that is the chamber where you say things like that, she said it outside, here, in this area marked in green, which is where the scrum usually occurs.

That is a problem that really cannot continue for very long. I know; it is a technical problem. The Premier (Mr. Peterson) does not exactly know where it is. The government House leader is not too sure about it. But just for the record, you make statements and you answer questions in here, in the area marked, very nicely, in red. When you go outside, you actually answer questions to reporters. It is not a very difficult task, but it is one that is fairly straightforward and pretty important.

I would simply like to leave this map with the government House leader. He can show the Premier where the chamber is and he can explain in here why he went to visit the Premier of Quebec, because we would all like to know that; and the Minister of Housing, instead of secretly passing regulations to important bills, could actually come in here and stand up in her place and say exactly what it is she wants to do. Then we will all know, and the people of Ontario will all know, exactly what the secret government of Ontario is doing.

It is my pleasure to present them with this map this afternoon.

### MINISTER'S RESPONSE

**Mrs. Marland:** I would like to bring to the attention of this House the unacceptable treatment by the Minister of the Environment (Mr. Bradley) in his response to a letter which I wrote to him two months ago.

On January 26, 1988, I wrote to the minister about an upcoming public meeting that was to be held on February 2, 1988, to review the matter of a test burn for a proposed energy-from-waste facility at the St. Lawrence Cement company plant in my Mississauga South riding. I indicated to the minister that I was alarmed to learn that the test burn plans had progressed to this stage in the absence of consultation between representatives of the ministry and local members of the provincial parliament. In my letter I outlined three questions that I would have liked the minister to address.

On March 28, two months later, I received a form letter dated March 22, 1988, thanking me for expressing my concerns but indicating that I could express myself to the ministry staff at another public meeting that would be held some time near the end of March. In his letter, the minister also suggests that I read my local newspaper, where I should see an advertisement about the meeting.

I am appalled by the attitude of the minister to the very real questions that I outlined in my letter of January 28. I expect some legitimate answers in response to my questions in the very near future, and I think the very least the Minister of the Environment could do is respond directly to the Environment critic and the member for that riding.

### HYLIARD CHAPPELL

**Mr. Mahoney:** I would like to bring to the attention of all members of this House the passing of a friend and a colleague in Mississauga, Hyliard Chappell. Both Hyl and his wife, Grace, have lived on the Riverwood estate, which is in my riding, for many years.

Hyl served two terms as a councillor, first from 1947 to 1950 in Toronto Gore, and then again from 1960 to 1962 on the township of Toronto council.

A graduate of Osgoode Hall Law School in 1943, Hyl worked in the law firm of the first chairman of Metropolitan Toronto, F. G. Gardiner, and later, in 1949, formed his own firm, which is known today as Chappell, Bushell and Stewart.

From 1968 to 1972, Hyl was the member of Parliament in Ottawa for Peel South in the government of the newly elected Prime Minister Pierre Elliott Trudeau.

His recent record shows one of continued community involvement. From 1962 to 1968, Hyl served as president of the Central Peel District Boy Scouts and was active on both the board of governors and the senate of his alma mater, McMaster University. I had the pleasure of serving on the very successful Erindale College scholarship fund-raising committee, of which Hyl was a patron.

Most recently, he served as chairman of the fund-raising committee to purchase a computerized axial tomography scanner for the Credit Valley Hospital. This campaign was successful, raising \$1.2 million, and recently the Ministry of Health announced the operating funds to fulfil Hyl's dream.

He will certainly be missed by his many friends in the city of Mississauga and the province of Ontario.

#### ANTI-CLOTTING DRUG

**Mr. R. F. Johnston:** I rise on my own behalf and on behalf of any other potential heart patient in Ontario.

The government of Ontario has decided that it is not going to fund a new drug, tissue plasminogen activator, which can, as all studies have shown at this point, save thousands of lives of people who have heart attacks from heart blockages. It has decided that it will not fund this drug, even though months ago we saw the news heralded across this province that this would be a great advance in medical care.

Instead, the Ontario Medical Association now is suggesting to its doctors that, because of the lack of funding, they should use the present streptokinase, which is known to cause side-effects like severe internal bleeding, which the new drug does not cause, and in some cases can be very detrimental to people's health.

I would ask the government to reconsider whether or not \$3,000 a life is worth it and this drug should be funded, or whether the additional costs that are going to be there for heart patients who have compounded problems, if they survive, is a better medical management than providing the necessary coverage for this drug in our hospitals in Ontario.

#### SCHOOL ACCOMMODATION

**Mr. Jackson:** Just following the recess of this House in February, the cabinet made the decision

to close Sir Winston Churchill Secondary School in Hamilton. The school contains nearly 1,000 students; it was built for 1,200.

The cabinet decision to transfer the school leaves unanswered many questions, foremost among them, what constitutes a viable school, and when may a school be closed? Do 985 students not constitute a viable school?

The arbitrator appointed by the government said that a school can be closed when enrolment falls below 85 per cent of ministry-rated capacity. Is this to be the rule for all future transfers?

Tonight, parents and students of Vaughan Road Collegiate Institute in the city of York will convene to protest the possible transfer of the school out of the public school system. They seek the same answers which the Premier (Mr. Peterson) and the Minister of Education (Mr. Ward) failed to provide for Hamilton.

Why does the government not make use of the provisions already set down in regulations and in its B7 policy memorandum? These guidelines already provide for public hearings and public input whenever enrolments fall so low that it becomes necessary to determine whether a school is surplus or redundant to the board's needs. Dialogue at these meetings centres on the preservation of quality education in the face of declining enrolments.

The first principle behind Bill 30 was supposed to be the preservation of the viability of the public school system. Why does this Liberal government refuse to consult with the communities directly affected by transfers?

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#### LIONEL DEMERS

**Mr. Campbell:** I wish at this time to advise the members of the Legislature of the recent death of Lionel Demers. Throughout his life and by his example, he became known to many people in Ontario as the champion of the Sudbury area.

He began his civic career in 1959 as a member of the Neelon and Garson council. With the advent of regional government in 1973, Mr. Demers served as a councillor-at-large for Nickel Centre. His contributions to the life of the Sudbury area were extensive: chairman of the Sudbury and District Health Board for eight of his 20 years on the board, member of the Nickel District Conservation Authority and member of the Sudbury-Manitoulin District Health Council.

I knew Lionel Demers and had the distinct privilege of working with him for many years on the Sudbury and District Social Services Admin-



istration Board. He was a man of compassion and understanding whose experience and counsel I valued when I was first elected to the regional council of Sudbury. I would ask the members of this Legislature to join with me in paying tribute to the late Lionel Demers.

### HOSPITAL FUNDING

**Mr. Swart:** There are three hospitals in the greater St. Catharines area which are planning expansions at a total cost of \$48 million, and as necessary as these expansions are, the funding is unjust. St. Catharines and Thorold must provide \$14 million of this cost, mostly through property taxes. Already property taxes are increasing faster than the cost of living and the additional \$20 per average home yearly for 10 years will accelerate this escalation.

There are two dimensions to this injustice. First, the property tax is an extremely regressive tax and should be used sparingly for anything other than services to property. Second, it is the Ministry of Health which determines how many beds and what facilities there will be within hospitals. As many as 100 Ontario communities are in the process of building or planning hospital construction or renovation. This level of construction or renovation exceeds anything since the establishment of the Ontario health insurance plan.

It is the appropriate time, therefore, to admit that the public hospital buildings are an integral part of the health care system; thus their costs should be paid by that system. Therefore, I am tabling a motion with the Clerk calling on the Lieutenant Governor in Council to amend regulation 859 under the Public Hospitals Act so as to allow the Minister of Health to pay up to 100 per cent of the hospital costs instead of the present two thirds.

### MINISTER'S ANNOUNCEMENT

**Mr. Cousens:** On a point of privilege, Mr. Speaker: I rise with a great deal of unhappiness that my personal rights have been abused in this House, and the rights of the opposition party. I feel that there has been a great neglect on the part of one of the honourable ministers. I believe that one of the honourable ministers has ignored the House by her actions outside the House.

I believe that she has shown a tremendous amount of disrespect to the House and to all members of this House who come for question period, who come for statements, who come to hear what is going on. Outside the House yesterday the Minister of Housing (Ms. Hošek)

made a statement and made a release of information that is very significant to what we were trying to do in the House yesterday. Our questions were not answered. It was as if we were being ignored. I feel very chagrined that this would happen.

**Mr. Speaker:** I listened very carefully to the honourable member, as I have to other members in the past. I do not consider it a point of privilege. However, I believe I have made many comments on such situations in the past and I am sure that the members and the ministers will take interest in my previous comments.

### STATEMENTS BY THE MINISTRY

#### POLICE COMMISSION APPOINTMENT

**Hon. Mrs. Smith:** I want to inform the House of the appointment of June Rowlands to the Metropolitan Toronto Board of Commissioners of Police. Mrs. Rowlands is well known in the Metro area and has served the public with dedication and skill during her years as a municipal councillor. I am convinced that this dedication and skill will serve her well in her new job and help the Metropolitan Toronto Police Force chart a sound and progressive course for the future. I am sure all members of the House will want to join me in wishing her well.

I am equally sure that the House will join me in thanking outgoing chairman Clare Westcott for the leadership he provided during his time in office.

#### OCCUPATIONAL HEALTH CENTRES

**Hon. Mr. Sorbara:** I am pleased to announce a new initiative in the field of occupational health. I would like to inform the members of the House that the government is planning to provide up to \$5 million in funding over the next three years to establish two occupational health centres that will specialize in this important, growing field of health care. This initiative follows a proposal from the Hamilton and District Labour Council and is supported by the Ontario Federation of Labour.

The importance of providing expanded, high-quality and dedicated occupational health services for workers has never been greater. This view, of course, is shared by the Ontario Federation of Labour and affiliates such as the Canadian Auto Workers and the Steelworkers and, of course, the employer community in Ontario.

The primary goal of the new occupational health centres will be to contribute to the prevention of occupational disease by improving accuracy of diagnosis. In addition, we see them



as strengthening and expanding the training programs for occupational health professionals at all levels.

The centres will also provide independent assessment and screening of work-related diseases; improvement of worker and employer knowledge of work hazards, occupational diseases and preventive measures; research about the relationship between occupational diseases and the work environment; and, finally, clinical training of occupational health practitioners.

These centres will vastly increase the availability to workers of independent medical assessments, including occupational histories and physical examinations by occupational health specialists and medical monitoring of workers exposed to hazardous substances. In addition, these centres will contribute to improved industrial hygiene standards and will serve as sources of data for epidemiological studies to determine the relationship between work hazards and disease.

The centres, to be located in Hamilton and Toronto, are a further indication of this government's long-term commitment to occupational health and safety. We hope the two facilities will begin operating in the next few months. In the interim, we will be continuing discussions with representatives of labour, management and the health care community to finalize the role of these parties in the operation of the centres.

It is my sincere hope that these two pilot projects will lay the groundwork for significant enhancement of the capacity to provide accessible and high-quality occupational health services to all Ontario workers.

## RESPONSES

### POLICE COMMISSION APPOINTMENT

**Mr. Reville:** I would like to respond to the statement made in the House today by the Solicitor General (Mrs. Smith) in connection with the appointment of June Rowlands to the Metropolitan Toronto Board of Commissioners of Police. I had the opportunity to serve with Mrs. Rowlands on Metro council; in fact, I sat on her left hand for three years on the budget committee and had an opportunity to get to learn her monetary views, which I did not always agree with. There is no question that Mrs. Rowlands will be a determined police commissioner, and I note with some wry irony that perhaps this does allow Metro to have the majority of police commissioners, as was suggested for many years by my party.

### OCCUPATIONAL HEALTH CENTRES

**Mr. B. Rae:** I want to respond to the announcement by the Minister of Labour (Mr. Sorbara) by saying to him that obviously we welcome the announcement today of the occupational health centres in Hamilton and Toronto. We feel they are long overdue and will provide a very necessary service to working people in both these communities. But I must take this opportunity to say that the government really is being very slow and reluctant in terms of creating alternatives to the current health care system and that in fact what we are suffering from is as much a surplus of pilot projects as anything else.

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There are also community-based alternatives in the field of occupational health and safety which we feel merit support. We are very concerned about the problems in northern Ontario and the fact that the north has not been chosen to be included as one of the areas for these two projects. We simply say to the minister that we think it is time to move on in an even bigger way. Obviously, we greet these two particular centres with considerable interest, and I can assure the minister we will be referring a number of cases and problems to these centres as soon as they are established.

### POLICE COMMISSION APPOINTMENT

**Mr. Brandt:** I would like to join with the Solicitor General (Mrs. Smith) in congratulating June Rowlands on her appointment to the police commission. I would, as well, like to comment on the fact that this is an instance, as members well know, where someone can lose a nomination and be appointed to another position that may even be somewhat more attractive in terms of salary. On occasion, one can lose and still win, which is a good exercise to go through.

The gentleman who is being replaced, Mr. Westcott, is an individual who has a long and distinguished record of service to this province. He served the province well in his former capacity as chairman of the Metro police commission. I would like to wish both June Rowlands and Clare Westcott the very best in the new challenges that face them. I am sure the commission will be well served by Mrs. Rowlands and that the kind of legacy of hard work, effort and dedication that was put in by Mr. Westcott will leave her position in such a way that she can handle it in a very easy and forthright fashion.



## OCCUPATIONAL HEALTH CENTRES

**Mr. Pope:** I would like to react, if I may, on behalf of our party to the announcement of the Minister of Labour (Mr. Sorbara) today. Obviously, this is progress in helping injured workers and workers exposed to hazards in the workplace across the province. I think I understand why it is a pilot project. The minister does not want to do it in eastern Ontario and northern Ontario yet, so he calls it a pilot project and puts it in his own backyard in Hamilton and Toronto.

One of the most important occupational health matters brought before this Legislature by the opposition and the third party, our party, over the past two years has been the lung cancer issue among gold miners in gold mining communities in northern Ontario. If there was ever a need for occupational health centres to be located in northern Ontario, it was amply demonstrated by that issue.

The Ministry of Labour is responsible for setting standards and threshold criteria that are very controversial, that are based on very little empirical evidence or assessment of the medical conditions of these workers. It is denying compensation to the survivors of dead miners in northern Ontario on very loose and flimsy grounds. Rather than addressing that problem and getting a proper assessment of this issue and getting help for miners in the gold mines of northern Ontario, the minister has chosen to ignore one of the major occupational health issues of the past two years and put his centres in Toronto and Hamilton.

I think it is time the Ministry of Labour and this government reassessed their priorities and got the help up to northern Ontario for the gold miners and their families. They deserve it.

## ORAL QUESTIONS

### RETAIL STORE HOURS

**Mr. B. Rae:** I have a question for the Premier. The Premier will be aware of the climate of fear—and there really is no other way of describing it—that exists among many small business people when it comes to the question of Sunday shopping and Sunday opening.

I wonder if the Premier would care to comment on a standard clause in a standard form lease that was shown to me by a tenant who did not want to have his name used. I can assure the Premier it is a large retailer. I would like to read the clause to the Premier and see how he matches that clause with all his fine talk about a so-called option.

I am quoting from the clause. It says: "Tenant will conduct its business in the premises in good faith during such hours and on such days and evenings as the landlord shall from time to time require and in such manner as shall assure transaction of a maximum volume of business in and at the premises. Nothing in this section shall require the tenant to carry on its business during any period prohibited by any bylaw regulating the hours where such business may be carried on. Tenant agrees not to support the enacting or renewal of any such law or bylaw."

I repeat, "Tenant agrees not to support the enacting or renewal of any such law or bylaw." That is a clause that has been signed by thousands of businesses in this province. I wonder if the Premier can somehow equate that with his so-called local option when it comes to store hours.

**Hon. Mr. Peterson:** I will refer this legal question to the Attorney General.

**Hon. Mr. Scott:** I am happy to say that several months ago we heard from a number of retailers who have leases of various types, more often than not with large shopping plaza concerns, who brought to us the problems that they envisage if the law is to be reformed. We are looking at those problems and we hope that we will be able to present to this House, when the Solicitor General (Mrs. Smith) presents her bill, an appropriate solution.

**Mr. B. Rae:** That was certainly an exciting answer.

**Hon. Mr. Scott:** It suited the question, actually.

**Mr. B. Rae:** A definitive endorsement of the rights of freedom of speech and conscience coming from the Attorney General we did not find today, just weasel words and more sucker clauses which are being justified and tolerated by the Attorney General.

**Mr. Speaker:** Order. Did it bring about a supplementary question?

**Mr. B. Rae:** Yes, Mr. Speaker, which I would like to address to the Premier. A second clause which is being signed by tenants, which is being used by landlords to force tenants to remain silent and which creates this climate of fear which exists, says, "Any business conduct or practice promulgated, carried on or maintained by tenant, whether through advertising, selling procedures or other use which may harm or tend to harm the business or reputation of the landlord, or reflect or tend to reflect unfavourably on the shopping centre, landlord or other tenants or premises in



the shopping centre, or which might tend to confuse, mislead, deceive or be fraudulent to the public shall be immediately discontinued by the tenant at the request of the landlord."

Is the Attorney General aware of that clause as well? What is he going to do about the fact that landlords in shopping plazas across the province have been using that clause to intimidate small business people, who are afraid to come forward and as a result have created this climate?

**Hon. Mr. Scott:** The Leader of the Opposition did not find my answer exciting. His manner, apparently, is to use inflammatory language at the top of his lungs to make his questions interesting, as they would not otherwise always be.

The point is that many retailers in the province have leases with their landlords, who are quite often large landlords in shopping plazas which have clauses of this type. The clause the Leader of the Opposition has referred to is very probably unconstitutional. In any event, the honourable member can be sure those kinds of considerations are being taken into account by the government as it develops its response to the retail holiday closing bill which will be introduced during this session.

**Mr. B. Rae:** I appreciate again that ringing endorsement of the concept of freedom of speech in the province coming from the chief law officer of the crown. I will say it quietly, or indeed if freedom of speech has to be endorsed loudly, that is what I will do as well. At least we on this side will endorse it, which is more than we are getting from the Attorney General. He has said nothing about this matter until it was brought to his attention today, not a peep, not a sound, about the intimidation that has been going on. Does he have to be asked about this in order to respond to it?

Interjections.

**Mr. Speaker:** Order.

**Mr. B. Rae:** I wonder if the Attorney General could perhaps answer this question. I have a letter here from a couple who are small business people, Mr. and Mrs. Van Mourik. They have a business, and their simple message is this: "We are a small business and we feel we would be hurt badly. We cannot afford extra help and we are unable to operate seven days a week on our own. The stores which are open would rob us of our business."

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I wonder if the Attorney General can tell us what he can possibly do, once he has opened up

the door to Sunday shopping and to required openings as exist in current leases, to protect the Van Mourik family, stop them from having to work on a Sunday, stop them from having to operate on a Sunday and stop them from having to lose their business to the big chains, which is precisely what the Attorney General is doing.

**Hon. Mr. Scott:** After 25 years as a director of the Canadian Civil Liberties Association, I am not going to take lectures on civil liberties from this Johnny-come-lately.

Interjections.

**Mr. Speaker:** Order. Attorney General, response.

**Hon. Mr. Scott:** I have a note in my question period book that was written by my executive assistant. It says, "Be nice to Bob and Evelyn." I regret having intruded in this debate in this fashion in so far as my friend may feel that I have not been nice to him. If he feels I have offended him in any way, I want to extend my apologies. Let me try to deal with the question that he has posed.

**Mr. Speaker:** Response, I hope.

**Hon. Mr. Scott:** Let us try to deal with the issue he has posed.

At least one third of the retail workers in Ontario are required to work on Sunday under the present law. What we have indicated is that we, as a government, are considering a law which will permit local municipalities or regional municipalities, as may be decided, to determine whether those laws should apply in their municipalities, be extended or be restricted.

The government is considering that matter, as the honourable member knows, and the plight of retailers and those who work in the retail trade under the existing law or under any new law are going to be fully considered and a determination made, but what we are not going to do is give the honourable member the bill until it is ready to be introduced. When we are ready to introduce it as a government, those answers will all be made plain.

**Mr. B. Rae:** I just want the Attorney General to know I do not expect him to be nice to me. I expect him to do his job defending civil liberties across this province. That is the only test we apply. Niceness does not come into it.

Interjections.

**Mr. Speaker:** Order. I would remind all members this is time for oral questions. Does the Leader of the Opposition have a question?



## HOME CARE

**Mr. B. Rae:** I have a question for the Premier about our health care system. The Premier will have received, I am sure, as I have, letters every day from people who are unable to get the kind of care in our health care system which they, I think very rightly, feel entitled to. I would like to refer the Premier to one such letter from a woman whose sister is suffering from cancer and is in a four-bed ward in the Cambridge Memorial Hospital. She says two of the other ladies in the ward have been in the ward for over a year. She goes on to say:

"Why I am writing this problem is this, and I am sure you and many others are aware of it, that people are living to a ripe old age now, but some are not able to care for themselves. The hospital is no place for some of these people. Poor planning on the government's part. No place for them. It must be costing the government millions to care for them in hospitals ... I do not think there is much you could do for Bernice. I am thinking of the future needs of the elderly. In the hospitals the nurses cannot look after them. The hospitals are short-staffed and the nurses are rushed off their feet."

**Mr. Speaker:** And the question?

**Mr. B. Rae:** "Soon there will not be any nurses, as it's a thankless job. The young people will turn to other careers."

**Mr. Speaker:** Question?

**Mr. B. Rae:** This is just one example of what is taking place. I wonder if the Premier can tell us what he is going to do about the crisis in our hospital system, because there are so many people there, particularly old people, who should be cared for somewhere else, preferably at home.

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Peterson:** My honourable friend makes a reasonable point in the question he raises. He is well aware, and many others would agree with him, that there is a feeling that a number of people, particularly the chronically ill, are misplaced in some of the active institutions. I think that relates specifically to the letter he read to the House. Those cases in fact do exist.

As he knows, this government has stated its intention to look at alternatives. I am sorry I do not have the statistics just at my fingertips—I know the Minister of Health (Mrs. Caplan) and the Treasurer (Mr. R. F. Nixon) would—with respect to programs on noninstitutional care and community-based programs. He is aware that we have launched, I believe, the largest capital

campaign in the history of this province, some \$850 million.

That being said, I cannot tell him for sure that every patient is in absolutely appropriate care, but our emphasis is on community-based care as well as improving our institutions; it is on noninstitutional care. I think the government is making progress in that regard.

**Mr. B. Rae:** I am glad the Premier in his answer referred to the so-called community-based approach. In a letter the Premier himself wrote on March 2, 1988, to Patricia Spindel of the Concerned Friends of Ontario Citizens in Care Facilities, the Premier said, "We intend to continue endorsing the integrated homemaker program as the cornerstone of our community services strategy."

If this is his cornerstone, I wonder if the Premier can tell us why his own evidence shows that he is paying the people who work in that field literally peanuts? The turnover is 50 per cent among visiting homemakers. He is unable to attract and keep people because he is paying many of them less than \$5 an hour. In fact, in 1986-87, of a budgeted \$7.3 million, his ministry spent only \$4.8 million. If this is his cornerstone and this is his answer to my question, I wonder if he can explain to us why it is that in a health care budget of \$11 billion he is spending this much and not even spending—

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Peterson:** It is an important program. It is moving ahead. My honourable friend is standing in the House and arguing that we should be spending more on employees. One can always make that point, I am sure.

Obviously, there are finite amounts of money that can be spent on any particular program. We think it is a constructive one and it is moving ahead. If the member has suggestions on how to expand it and how to make it more appropriate, I am obviously interested. It is something we believe in. I think he has seen a large number of programs from this government with respect to assistive devices, homemakers' programs and a lot of other things, which are making it easier for people to live on their own, with their independence and with their dignity.

**Mr. B. Rae:** In the same letter the Premier wrote to Ms. Spindel, in which he referred to the homemakers' program as the "cornerstone" of what he was doing in health care in the community, he said, referring to the agencies that are for profit, commercial centres for homemakers, "I would like to point out that there



is a need to utilize these agencies....Our chief concern is that clients secure the most appropriate local service available."

I wonder how the Premier feels about the fact that his own interministerial study, which is admittedly only a draft, of which we have a copy, dated August 28, 1987, showed that the average hourly wage for homemakers identified by the agencies ranged from \$4.35 to \$7.80 per hour for not-for-profit agencies and \$4.35 to \$5.75 per hour for the commercial agencies. In the commercial sector, 41 per cent of those found at the minimum of the wage range were in the \$4.35 to \$4.50 bracket.

How can he possibly sustain a system of home care in which he is paying people who are working in home care \$4.35 to \$4.50 an hour? He has got the system backed up, he has not even begun to address it—

**Mr. Speaker:** Order. The question has been asked.

1410

**Hon. Mr. Peterson:** I think one could make the same point about child care. One could stand in this House and say that child care workers are inappropriately paid. The Leader of the Opposition frequently makes the case that members of Parliament are underpaid as well. He could make that case, perhaps, about many other sectors in our society.

Is his point that we should expand the numbers or increase the wages for the people who are there or just spend more, forgetting about the revenue that has to be garnered somewhere or other?

I admit, and it is no secret, that there are problems in that particular area, but I think if one looks at the cumulative weight of the programs we have instituted, we are making real progress in this regard. If he is suggesting that we should pay people twice as much and have half as many people enrolled in the program, obviously, that is a point of view that he is entitled to have.

#### RETAIL STORE HOURS

**Mr. Brandt:** My question is for the Premier. Yesterday, once again, the Premier indicated that he favours and believes in the local option as it relates to the Sunday shopping question. To quote him, "The official position of this government is that we respect the local option to make a decision with respect to Sunday shopping." He went on to say, "I have sufficient faith in the local leadership to make decisions appropriate to that community."

Could the Premier, perhaps reflecting on what he said yesterday, indicate to us today whether he

still has faith in local leadership, and does that faith extend to local municipalities making decisions on the type of stores that will be allowed to open, as well as the size of stores that will be allowed to open, under the legislation he intends to bring forward?

**Hon. Mr. Peterson:** My honourable friend is asking to see the legislation today. I can tell him that the entire package will be brought into this House in the not-too-distant future and we will share it with him on that occasion.

**Mr. Brandt:** I appreciate that response, because I would like to quote another statement that appeared in the Kitchener-Waterloo Record within a matter of the past day or so from the Solicitor General (Mrs. Smith). I will share the quote with members now, "The province could decree that nothing would open that was larger than 10,000 square feet." She went on to say that the types of stores would be regulated and concluded that we could have overriding provincial laws.

I would like to ask the Premier, since the Solicitor General is now suggesting that the size of the store may well be regulated and that there could be overriding provincial laws as they relate to the Sunday shopping question, really what kind of local option is it that the government is talking about that the municipalities are going to be given by Ontario?

**Hon. Mr. Peterson:** The member's question raises an interesting dilemma for him. He is getting all exercised and he does not know what he is getting exercised about.

I say to my honourable friend that it will all be brought forward to him in this House and he can give his particular views on the subject. If he has any amendments he wants to bring forward or matters he wants to raise in debate, I think my honourable friend will end up quite happy with the things that we will be bringing forward next week.

**Mr. Brandt:** I have to say to the Premier, with due respect, I have never seen a government so totally confused on the issue in all the time I have been in this House. He brings forward a suggestion of legislation some five months ago and then he complicates the legislation as he discusses it with the people of Ontario. He does not know whether there is going to be a local option or whether there are going to be controls in a local option.

With respect to the same question, the member for Guelph (Mr. Ferraro), when asked about restrictions, indicated that a decision had already been made. I recognize that the legislation has



not been brought forward, but he goes on to say there are going to be restrictions on municipal authority.

Is the member for Guelph or the Solicitor General or the Premier indicating an accurate position reflecting the decision that this government has made as it relates to the local option? As he now gets advice from the honourable member to his left, is he now in a position to indicate whether there are going to be restrictions with respect to local municipalities or are there not going to be restrictions, and will there be a true local option with local autonomy? Which is it going to be? It is a very simple question.

**Hon. Mr. Peterson:** I appreciate the question very much. Indeed, my colleague to the left was giving me advice, because he responded particularly viscerally to the member's claim that this was a confused issue in this House. He asked me to remind the member of the Suncor purchase by the member's government and the separate school issue as handled by the member's government, when it comes to the area of confusion; but I refuse to do that and I reject his advice. I am not going to raise those issues; I am going to respond directly to the member's question.

We have brought forward, as he knows, the idea of municipal option with respect to Sunday opening, which just extends the power municipalities have now, as they control stores six days a week. That will be presented in a complete package, so my honourable friend will have an opportunity to criticize all of it, rather than little bits. My honourable friend will have an opportunity to put forward his particular views, always thoughtful and constructive. He will have an opportunity at that juncture to reconcile the opinions of his former leader, some of his colleagues and indeed some of the people in his own party.

One of the things I enjoy reading the most is a document called the Blue Review. I guess it is from the Young Progressive Conservatives. There is this chap here saying: "Sunday shopping is good. An extra day to shop would allow people an extra day to handle domestic chores. More important, it would allow them the freedom to choose whether or not they wish to do so." That is in the member's official party organ, by David Gilinsky, who sits on the executive of the Ontario Progressive Conservative Youth Association.

The member will have an opportunity, when this bill is brought in next week or so, to express his views, the views of the member for Stormont, Dundas and Glengarry (Mr. Villeneuve), Mr.

Grossman or anybody else. He will be able to see—I will not put him through this agony of picking away at little pieces—the broad context. When he sees it in its broad context, I am sure my honourable friend will see the genius of this particular legislation and that it is conceived to extend—

**Mr. Speaker:** Order.

**Mr. Brandt:** I have another question for the Premier. Let me just say, if I might, that the Blue Review makes a lot better and more interesting reading than the "red rag." I want to suggest further to him that the youth of our party is involved in the decision-making process, unlike the youth of his party, who could not even get in to speak to the Attorney General (Mr. Scott) about the Meech Lake accord. They were shut out entirely by the Premier's party and he knows it.

**Mr. Speaker:** And now for the question.

#### JUSTICE MINISTERS' MEETING

**Mr. Brandt:** Now, Mr. Speaker, for the question I know you are waiting for so patiently.

The federal and provincial justice ministers, as the Premier knows, met in Saskatchewan on March 17 of this year. They had a discussion, over a period of about three days, that concerned some very important and major issues to this province and to the country as a whole. It involved discussions on victims' rights, compensation for wrongful committal, sentencing, law reform and abortion. Who attended this conference on behalf of the interests of Ontario and who spoke out at this conference for the people of Ontario?

**Hon. Mr. Peterson:** With respect, number one, to his preamble and his question about who makes decisions in this party, I think it is quite obvious that some juvenile has been making policy in his party for some long period of time: but on to his question.

The Attorney General (Mr. Scott), of course, is the chief law officer of the crown and speaks for these matters, but he was away and the Solicitor General (Mrs. Smith) attended in his stead.

**Mr. Eves:** I am glad we have clarified the point that the Attorney General was on holiday in Mexico, because the same day a communications assistant in the Attorney General's office is quoted in one newspaper as saying: "Mr. Scott is in Saskatoon this week at a meeting of federal and provincial justice ministers," Ms. Boswell said." The same day, she is quoted in another



newspaper, "‘Mr. Scott is on vacation this week,’ she said."

While the Attorney General was vacationing in Mexico, he later saw fit to make public comments regarding Canada's parole system and Canada's sentencing system. If the reform of the sentencing system and parole system in Canada is so important to the Attorney General and to this government, why did the Attorney General see fit to be in Mexico vacationing instead?

**Hon. Mr. Peterson:** I am not sure, very frankly, that question deserves a serious answer. It speaks to the paucity of any particular views the member has that he raises this question in that way.

1420

Let me just say that this Attorney General, in my opinion and in the opinion of many others, is the most respected Attorney General in this country today. I say that without fear of contradiction. I have sat in many federal-provincial conferences with him when I have seen respect and deference from everyone, from other attorneys general to the Minister of Justice, including the Prime Minister, because of his leading contribution in matters of justice. I do not think he has any apology to make to the member when he takes a week or two holiday.

**Mr. Eves:** The Premier's opinion is probably one shared by about 93 other colleagues that I can think of; 93 other people in Ontario, perhaps.

During that federal ministers' meeting, Mr. Hnatyshyn, the federal Minister of Justice, said it was important to consult the provinces concerning the abortion issue because they have an important responsibility in the prosecution of the criminal law. I quite agree with the Premier that every Attorney General needs a vacation like everybody else every now and then, but there are priorities here. This is a government that supposedly has mouthed concerns about the abortion laws and about these various other topics enunciated by my leader, at a very important meeting—

**Mr. Speaker:** The question.

**Mr. Eves:** The fact of the matter is that the Attorney General for this province was not there to express his opinion. He chose to express his opinions about these issues in the newspaper a week later. He regarded that as being more important—

Interjections.

**Mr. Speaker:** Order. Do you have a question? I guess there was no question.

## RENTAL HOUSING PROTECTION

**Mr. Breagh:** I have a question for the Minister of Housing concerning her inadvertent release of certain regulations for the Rental Housing Protection Act that were leaked yesterday to the scrum outside.

Can the minister explain to us how these regulations will do anything for those tenants on Jameson Avenue in Toronto, from Toronto Apartment Buildings Co., who were physically evicted from their apartment units? How do these regulations help them in any way, shape or form?

**Hon. Ms. Hošek:** The hotel regulations that came into effect yesterday are going to protect tenants because they are going to prevent buildings from being turned into suite hotels in order to circumvent the rent review legislation. As to the question about the tenants of Tabco who were evicted, they are protected in one case under the Landlord and Tenant Act as well.

**Mr. Breagh:** I get the feeling we should all adjourn to the scrum outside where some answers might be forthcoming.

Can the minister explain to us precisely what she has done here that will help people who have already been evicted? Is she specifically proposing that people who have been thrown out on the street will now be able to apply for a rent rebate at our famous rent review process, so that people who were thrown out on the street more than two months ago will have to wait about two years before any decision is reached on whether they do or do not qualify for rebates and whether those units are apartments or hotel suites?

**Hon. Ms. Hošek:** Some of the tenants of Tabco, who I think are the ones the member is particularly concerned about here, have already applied for rent rebates and I have instructed the ministry that all applications for rent rebates under this suite hotel regulation, which is part of the Residential Rent Regulation Act, not part of the Rental Housing Protection Act, will be a first priority and will be processed immediately.

**Mr. Cousens:** I have a question for the Minister of Housing. I am reading today the definitions that go with the regulations. The minister has released the regulations somewhat after her scrum, but I also have a copy of the definitions, which really open up what these regulations are all about.

First of all, the regulations and definitions were prepared on January 28, over two months ago, and it has taken this length of time for the minister to finally table them in the House. She has stalled for that length of time. In the



meantime, we now have suite landlords who have a set of loopholes that show them how to circumvent rent control. If these regulations are a priority, why has the minister waited two months to release these regulations, and not even the definitions?

**Hon. Ms. Hošek:** The regulations we have put into effect starting yesterday offer protection for tenants in exactly the way they asked. I have taken very seriously the concerns they made to me, which a lot of the members know about as well, about the situation they were facing in their housing. That is the reason I fulfilled my commitment. I said I would get this done by the week of April 5, and that is exactly what I did.

**Mr. Cousens:** The minister has not answered the question, as usual. She has delayed for two months on a question that is very important to many people, both tenants and landlords, and now the definitions, as they are described, really permit the landlords to walk through the loopholes the minister said she closed. The landlords can now continue to charge daily, weekly and monthly rent. The landlords now have the rules on how to circumvent rent control, if we look at the last page of the definitions—maybe we did not get that.

I will ask the minister why it is that she will not admit here in this House that she has widened the loophole rather than closed it?

**Hon. Ms. Hošek:** We worked long and hard to get a very strong definition of "suite hotels." We tested it against the situations we knew we were trying to make sure we were protecting tenants from. It is our considered opinion, it is my considered opinion, after much thought and much work, that that is exactly what the regulation does.

#### COLLEGES OF APPLIED ARTS AND TECHNOLOGY

**Mr. Adams:** My question is for the Minister of Colleges and Universities. The college system is now more than 20 years old, and yet links between the high schools and the colleges and between the colleges and the universities are still far from clear. For example, although college students can transfer a credit to university in many individual cases, this is still by no means automatic.

Similarly, although there are more university students transferring to colleges than the other way around, the transfer arrangements there are also unclear. What is being done to make transfers between colleges and universities more effective and productive?

**Hon. Mrs. McLeod:** This issue is actually of great concern to both the university and college community at the present. As I am sure the honourable member is well aware, the universities are fully responsible for determining their admission criteria to specific programs, so it must be, in fact, that the decisions about transferability of college credits are the result of discussions between a specific university and the colleges.

I am very pleased to find that in fact those discussions are taking place more often and that there are in fact linkages and transferability of credits to specific programs being arranged. I certainly, as minister, feel that those linkages are important. I encourage those discussions.

I also think it is important, to the interest shown in your question, to note that I have asked the Council of Regents, which is the advisory body for the community colleges, to examine the evolving role of the colleges and, as part of that, to look very specifically at the relationship between the universities and the colleges.

**Mr. Adams:** There also appears to be some confusion at the high school-college transfer point. For example, students who do not complete high school before going to college find it virtually impossible to complete their high school credits while they are in the college system. Could the minister comment on relations between the high schools and the colleges, please?

**Hon. Mrs. McLeod:** Once again, I have to note that the colleges are responsible for determining their admission criteria for specific programs, although within particular provincial guidelines. I believe there is considerable discussion and liaison between the colleges and the high schools, and many of the specific concerns of students and their credits are examined with fairly flexible programming on the part of the colleges.

I would note that there has been some concern expressed on the part of the colleges about the changes in secondary school curriculum and what impact that might have. It is for that reason that Graham Collins, who is dean of human studies at Humber College, has been seconded to the Association of Colleges of Applied Arts and Technology of Ontario for a two-year period. He is specifically looking at the impact of the secondary school changes on the colleges and developing a close liaison provincially with the Ministry of Education and with provincial secondary school associations. I think many of

the aspects of the member's questions will be examined in that review.

1430

### HOME CARE

**Mr. Allen:** Since the Premier (Mr. Peterson) has flunked the question on home care, perhaps I can pass it on to the Minister of Community and Social Services. The minister will know that hundreds of seniors and disabled and semi-invalided persons in this province are unable to secure homemaker services at this time, and those who do secure a low-wage, revolving-door, untrained service that in fact is a kind of disappearing, dissolving affair since the homemaker services cannot keep people on staff in the present labour market.

In 1986, the homemakers appealed to the minister and to the government to do something in response to the growing crisis. They said they could not provide adequate or sufficient care. What is the minister going to do to respond to those needs since he has not to date?

**Hon. Mr. Sweeney:** The honourable member correctly identifies part of the problem, and that is that the current wages are low. When I met with the organizations he referred to, we did indicate to them that we were working on two fronts simultaneously; that is, trying to make some decisions as to the extent we were going to expand the opportunities to use homemakers as opposed to restricting that opportunity and increasing the wages of the current staff.

The honourable member will be aware of the fact that we now have about 18 municipalities across the province that are involved in the integrated homemakers program. We said clearly when that was introduced that it would be difficult to know in advance how much takeup there would be on that and therefore what kinds of costs we would be facing and that we wanted to try it in a sufficient number of places and with a sufficiently broad geographic base to be able to assess that.

That information is now coming in to us and we have the information as to what the takeup is, what it is likely to be over the next five years and what the costs are going to be. On the basis of that, we are currently making decisions as to how far we can expand that, as opposed to slowing it down but providing more funds for the programs that are already in place. That is the decision that is facing us.

**Mr. Allen:** The takeup question is one question, but one can hardly take seriously a profession that this is going to be the cornerstone

of community health care when the basis of it is low-wage labour at an average of \$5.50 an hour. A neighbouring province pays \$10.81 plus benefits. The result of that is that this is a system that will function only in depression and recession times, not in times when there is a competing market and people are drawn away from those services. The result is that 50 per cent of those homemaker services have turnover rates of 50 per cent, 13 per cent or 100 per cent per year.

Is this the kind of system the minister wants to make the cornerstone of the community health care system in Ontario, one that functions in that dissolving and disappearing fashion?

**Hon. Mr. Sweeney:** The short response to the member's question is no. I am convinced, as I believe he is from our discussions, that we must provide sufficient opportunities and sufficient options, particularly for our elderly population and our disabled population in our communities to remain in their own homes or to remain with their families.

If that is going to happen, then we have to provide the support services. At the same time, we know from the experience that the member has indicated that is not going to occur at the rates we are paying at the present time. That is recognized and we will be addressing it, but I must say to my honourable colleague that will put some restrictions on how far we can expand that service. Again, I come back, that is the difficult decision facing us.

### RENTAL HOUSING PROTECTION

**Mr. Cousens:** I have a question for the Minister of Housing again. We continue to be stonewalled by the minister, we are not getting answers, and it is too bad there is nothing we can do within question period to force answers to questions. Notwithstanding that, we will keep asking and we will keep searching for the answers, because maybe we will go out and listen to the scrum and find another answer to one of the important questions.

I would like to raise a question to the Minister of Housing regarding the Rental Housing Protection Act, which is an act for condo conversions. People want to know what is going to happen with that legislation when it expires and sunsets this year. People are asking, and I think we have the answer. Maybe the minister can confirm what I think I read in *Topical* on February 26, 1988, where her ministry was advertising for a rental housing protection program planner.



Inasmuch as the minister is doing this, will she not admit right now in this House that her ministry is going to bring forward the Rental Housing Protection Act again?

**Hon. Ms. Hošek:** I recognize that this issue is an issue of great concern to people, as it is to me. The member knows that the Rental Housing Protection Act is meant to lapse at the end of June 1988. I guarantee everybody in this House that he will hear our intentions about that way before that date.

**Mr. Breaugh:** In the scrum or right in here?

**Mr. Cousens:** We will be listening in the scrum, but we will continue to ask in the House. The minister has failed to answer the question. What happens now is that Bill 11, or the condo conversion act, raises many questions. The questions are now ones of credibility to the tenant groups and the landlords, who are asking: "What is going to happen to us? What is the solution going to be?"

Here at one point the minister is advertising for a planner, which says she is going to continue. On the other hand, the minister is carrying on conversations with tenant groups saying: "Well, what do you think? How should we do it?" Why is it that the minister continues to ask people who are looking to her in good faith? Why does she ask them for help and assistance when in fact she already has her own agenda to re-enact the condo conversion act?

**Hon. Ms. Hošek:** I find it astonishing that the critic from the third party objects to my talking to the people who are most likely to be affected by any sort of changes we make. I thought that was one of the important things to do around here.

What I should tell the member is that everyone I have spoken with in the past six months that I have been working as minister has raised issues and concerns about this act and about the whole issue of rental housing protection, and I guarantee this House that we will get a clear message about what the government's intention is in the House very soon.

#### INTERPRETER SERVICES

**Mr. Faubert:** My question is for the Minister of Citizenship. Ontario, as we are well aware, is a province rich in its multicultural diversity. People have come here from all countries, communities and backgrounds to seek a better life for themselves and indeed for their families. However, the language barrier is often a problem for some people in our multicultural communities. This, of course, makes it difficult for them to take advantage of the many services that the

government has to offer and hinders their full participation in the economic, political and social life of the province.

Can the minister advise of any initiatives that his ministry is presently undertaking to deal with this specific problem?

**Hon. Mr. Phillips:** As the member may know, historically the various ministries have provided interpreter services. In addition to that, our ministry funds well over 100 different community groups that provide interpreter services.

One thing I should bring to the attention of the House is that we initiated a very innovative program in the last 12 months in the area of wife assault programs, specifically in the area of providing wife assault programs for non-English/French-speaking women, a very important initiative and one which is working very well because of one element; that is, we have what we call cultural interpreters, who make certain that the interpreters not only can handle the language but are extremely sensitive to the cultural background of the people who are affected. It is a very important program.

As a result of that program, we are now looking, on an interministerial basis, at extending that cultural interpreter program beyond just the wife assault program. That committee is working and looking at expanding that very successful program beyond this program.

**Mr. Faubert:** The city of Scarborough contains one of the largest, most active and fastest-growing multicultural communities in Ontario, if not in Canada. Can the minister assure this Legislature that the city of Scarborough will be considered as a possible recipient of these very worthwhile interpreter services?

**Hon. Mr. Phillips:** As I said earlier, this wife assault program is extremely important. We are looking at expanding it. We are looking at several communities. We will expand it on the basis of need, and if Scarborough meets the highest criteria, Scarborough will get that program. We are planning to expand this very important program in the area of the highest need, based on some very strict criteria. If Scarborough meets those criteria, we would expand it there.

1440

Interjections.

**Mr. Speaker:** The member for Nickel Belt would like to ask a question.

#### INCOME TAX

**Mr. Laughren:** Thank you for protecting me from my colleagues, Mr. Speaker. I have a

question for the Treasurer. Those of us who know the Treasurer understand full well that he would never embrace the philosophy of "make the rich pay." However, that should not necessarily mean that he believes in making the poor pay.

Could the Treasurer tell us how it is that after almost three years as Treasurer and \$8 billion in increased revenues to Ontario, in this province people earning below the poverty level pay the second-highest amount of provincial income taxes and provincial levies in all of Canada? Only Newfoundland pays more; a family of four pays \$1 more than in Ontario, otherwise we would be leading the pack. At the same time, that same family earning \$50,000 a year was fifth from the top.

Could the Treasurer tell us how it is that he has allowed this to continue despite the fact that he has been Treasurer for almost three years now and he has had \$8 billion in increased revenue to play with?

**Hon. R. F. Nixon:** I think maybe there is too much research available to the member.

Actually, I had not realized that those statistics were that damning, but the member is aware that in each budget the tax reduction program has been enriched, and frankly I have been very proud of the fact that we have improved the situation. We have also, as a government, taken the initiative of putting a surtax on incomes over approximately \$50,000, which was designed to add at least some degree of progressivity to the tax range.

**Mr. Laughren:** I understand that the Treasurer does not want to talk about details of his upcoming budget, but would he give us one assurance; namely, that after his budget this year those people earning below the poverty level will pay no provincial income taxes, and that for those people earning over \$50,000 a year we will be number one in the province of extracting a fair amount of income from them? That is the kind of tax reform we have a right to expect from this administration.

**Hon. R. F. Nixon:** I am not sure whether the honourable member comes into that latter category or not, but he must be pretty close, so I will bear that in mind as we adjust the surtax.

**Mr. B. Rae:** The Treasurer is also included.

**Hon. R. F. Nixon:** I am in it; oh, yes.

I am not in a position to give the honourable member the undertakings he seeks, but I guess we generally share similar aims. I can say that as far as I am concerned the budget will reflect fairness and equity in all of its details.

## NORTHERN ONTARIO HERITAGE FUND

**Mr. Harris:** A year ago we had a budget that followed a throne speech that pledged an additional allocation of \$30 million would be put, in that fiscal year, which ended last month, into the northern Ontario heritage fund. Yesterday the Minister of Northern Development (Mr. Fontaine) responded to the member for Lake Nipigon (Mr. Pouliot), and he said this, "During the last seven months, we used the heritage funds for northern Ontario for certain projects which were in progress."

Interjection.

**Mr. Harris:** Sorry, I am just reading from Instant Hansard. The minister said, "During the last seven months, we used the heritage funds for northern Ontario for certain projects which were in progress."

I wonder if the minister could tell us which projects the money was used for and why it was necessary to replace the money that was already there, if those projects were in process, with the northern Ontario heritage fund.

**L'hon. M. Fontaine:** En réponse à la question du député de Nipissing, je dois lui rappeler que je n'ai pas parlé du «heritage fund» hier, j'ai parlé du Fonds du patrimoine, qui n'est pas dépensé puisque j'amènerai la loi ici, d'ici quelques semaines; nous allons présenter une loi en Chambre pour ce fonds-là. Ce dont j'ai parlé, c'est le Fonds du développement du Nord. Nous avons continué à dépenser la portion de presque 30 millions cette année dans le Fonds du développement du Nord pour des projets qui seront peut-être les mêmes projets qui seront amenés dans le Fonds du patrimoine.

Je dois lui rappeler la raison du délai: c'est parce que j'ai consulté les personnes du Nord de l'Ontario pour savoir ce qu'elles voulaient obtenir de ce fonds-là, comment on devait l'utiliser, mais je n'ai jamais dit que je l'avais dépensé. J'ai dit que j'allais revenir d'ici deux semaines avec une loi qui sera débattue dans cette Chambre. Je suis certain que le député lui-même et les gens du Nord seront satisfaits de ce que j'amènerai dans deux semaines. Merci beaucoup.

**Mr. Harris:** Thank you, Mr. Speaker. It is a lot clearer now. In fact, I was surprised at the minister's answer yesterday and I am pleased that he is correcting the record today. I wish he had done it voluntarily and not forced me to ask him a question, because, in fact, in answer to my query, the minister, on the order paper, indicated: "No projects have been approved for funding



as yet. No identifiable administrative costs have been incurred." He announced it a year ago, he got the headlines, he allocated \$30 million, and now what he is telling us a year later is that not one cent of that northern Ontario heritage fund money was spent. In fact, it was turned back in, I presume, to the Treasurer (Mr. R. F. Nixon).

He has had two premiers' conferences in northern Ontario. He has had the whole gamut, the Premier (Mr. Peterson) and all the cabinet ministers, up there and he has come out with two reports. He told northerners, "You have got to tell us what you want." He has got this report from the last one. He ignored the first report, which makes all kinds of recommendations. Can he tell me why, after two years, he has not found one single solitary thing in any of these conferences or any of the other recommendations that have come forward on which he has seen fit to spend one cent of the northern Ontario heritage fund money?

**L'hon. M. Fontaine:** Je dois rappeler au député de Nipissing encore une fois que je crois qu'il n'a qu'une idée dans la tête, qui est de regarder seulement ce que son gouvernement a fait, lui, dans le Nord de l'Ontario. Si le gouvernement qui a été là pendant 42 ans n'a rien fait, ça ne veut pas dire que nous autres, on n'a rien fait. Il n'a qu'à regarder les projets que nous avons mis en place dans le domaine du développement. On va dépenser presque au-dessus de 100 millions de dollars d'ici un an dans des développements. En plus, avec la Northern Ontario Development Corp., nous avons mis des projets en place; avec le northern Ontario regional development program, nous avons dépensé au-dessus de dix millions cette année.

**Mr. Harris:** No you haven't. What a joke.

**L'hon. M. Fontaine:** Ferme-la donc. Attends un peu, toi, énerve-toi pas.

En plus, pour en revenir aux conférences, je dois lui dire que ce rapport-là, qui est sorti depuis deux semaines, nous allons le déposer devant les ministres du Cabinet qui s'occupent du développement du Nord, qui vont donner une réponse, d'ici peu, indiquant leur plan d'action.

Je n'ai pas honte de comparer ce qui est arrivé depuis un an dans mon ministère avec le ministère de M. Bernier avant. Je demande aux municipalités, je demande aux compagnies ce qui se passe comme projet, et elles sont satisfaites. Depuis un an, un an et demi, je n'ai pas eu une lettre qui me dise qu'on n'était pas satisfait de ce qu'on fait pour le Nord de l'Ontario. Les chambres de commerce, les

personnes en tête, les entrepreneurs sont satisfaits, comme c'est là.

Mais on va en faire plus en mettant ce rapport-là en place d'ici quelques mois. Alors, il ne reste qu'à attendre pour voir l'action qui s'en vient. Merci.

#### CAR RENTAL CONTRACTS

**Mr. Callahan:** My question is for the Minister of Consumer and Commercial Relations. Last night on Market Place it was reported that major car companies in the United States require people who are going to use their products to pay an additional fee to provide for what they determine to be collision coverage or a collision waiver. It was also reported that they discovered this was not an insurance policy and that in fact it was simply a contractual arrangement subject to conditions on the back of a contract that would be very difficult for even the youngest of us to read.

The net result was that, when an accident occurred and these conditions were breached, the people had to pay the damages. My first question is, has there been any report that this situation prevails in Ontario? I will have a supplementary.

1450

**Hon. Mr. Wrye:** Unfortunately, I did not see the Market Place program in question, but I am aware of the issue and the concerns that have been raised on this matter from time to time about the so-called collision waiver forms that individuals, particularly when they are vacationing in the United States, find themselves faced with. I have not received any high volume of complaints and concerns raised. That does not mean there have not been any. I will check into it for the honourable member.

I am advised by my officials that individuals in this province who are travelling to other jurisdictions and who may perhaps face the same problem here in Ontario may buy as part of their own insurance policy something which will give them the protection so that they do not need to sign off on one of these waiver forms, which, as the honourable member correctly points out, can be, I am advised, quite fraught with holes.

**Mr. Callahan:** Some of the conditions that were reported on Market Place, at least in the US, excluded liability for such things as travelling over an unpaved portion of road. One particular poor person wound up having to do that in order to get from point A to point B and found that one of the conditions in the contract was that this vitiated the coverage he thought he had.

I ask the minister if his department will canvass these contracts and determine whether or

not the conditions contained therein are reasonable conditions or, in the alternative, that these people might be made aware of the fact that they can obtain insurance from their own carriers for a very minimal fee.

**Hon. Mr. Wrye:** The honourable member makes a very good suggestion. I am not sure what we would be able to do in terms of car rental companies doing business in the United States. I am quite prepared to take a look at those companies doing business here in Ontario. I do know we have on occasion brought these matters forward to the attention of consumers in this province. Certainly, the honourable member makes a good suggestion, that perhaps the ministry, as it does in its ongoing attempts to educate consumers and to give them good consumer tips that will protect them from the kind of situation described on Market Place, should do that kind of practice a little more and take up this issue in the near future.

#### TEMAGAMI ENVIRONMENTAL ASSESSMENT

**Mr. Wildman:** I have a question of the Minister of Natural Resources regarding the Red Squirrel Road environmental assessment fiasco, particularly in regard to the published comments by Mr. Teleki of DeLCan Corp. Can the minister explain the extent to which the environmental assessment document prepared by DeLCan differs from the document submitted to the Ministry of the Environment by his ministry? If he is sincere about environmental protection in the forest, will he either do the EA study again or submit the original DeLCan document rather than proceed with the laundered document that he has submitted?

**Hon. Mr. Kerrio:** Certainly, we are very anxious to get the environmental assessment of Red Squirrel done with. I want the honourable member to remember that I put forward the Red Squirrel for an environmental assessment voluntarily. I was not forced into that position. I am very pleased to say the Minister of the Environment (Mr. Bradley) was pleased that I should take that initiative. The member is going to see good things happen throughout Ontario relating to good management when we go through the whole class environmental assessment to protect the forests, the jobs and the people of northern Ontario.

**Mr. Speaker:** That completes the time for oral questions.

Petitions. The member for Mississauga South.  
Interjections.

**Mr. Speaker:** Order. We have come to the time for petitions. It is very difficult to hear. I will ask for your assistance and recognize the member for Mississauga South.

#### PETITIONS

##### RETAIL STORE HOURS

**Mrs. Marland:** I have close to 5,000 petitions which I have pleasure in presenting on behalf of those people who are concerned with the subject of Sunday shopping. These petitions have been collected with the assistance of Lansing Buildall, and particularly Howard Kitchen of that firm. I am presenting these to the Lieutenant Governor in the hope that he will convey the message to the Premier (Mr. Peterson) that these close to 5,000 residents object to the decision of the government to pass the responsibility for seven-day retailing on to the municipalities. They also object to the inevitable increased cost and the elimination of the opportunity for a common pause day for families.

**Mrs. Stoner:** I have a petition signed by 60 residents of the Municipality of Ajax, which reads:

"To the Lieutenant Governor and the Legislative Assembly:

"We the undersigned wish to express our opposition to changes in Sunday shopping laws which threaten to transform Sunday into just another day for doing business. We are in favour of limiting Sunday shopping for the following reasons.

"1. It is commanded of us as Christians that one day in seven should be set aside for worship. Sunday has special significance for us because the resurrection of Jesus took place on a Sunday.

"2. Families need a regular patterned opportunity for the whole family to share time.

"3. Individuals need a regular, consistent opportunity for rest and recreation. An open Sunday will erode that opportunity greatly."

**Mr. Cleary:** I have two more small petitions, one signed by 20 people and the other signed by five individuals from my riding with concern about the effect of Sunday shopping. One reads:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"In recognition of the importance of a pause day in Canadian society, we ask that the Retail Business Holidays Act be maintained and strengthened; that the act remain under the jurisdiction of the Ontario Legislature and not be transferred to local municipalities."



## NATUROPATHY

**Mr. Daigeler:** I have the pleasure to introduce a petition signed by 60 residents of Ontario regarding the regulation of naturopathy. The petition reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

## INTRODUCTION OF BILL

### MID-CONTINENT BOND CORPORATION, LIMITED ACT

Mr. M. C. Ray moved first reading of Bill Pr28, An Act to revive Mid-Continent Bond Corporation Limited.

Motion agreed to.

## ORDERS OF THE DAY

**Mr. Speaker:** Orders of the day.

**Hon. Mr. Conway:** Thank you, Mr.—

**Mr. Reville:** Speaker.

**Hon. Mr. Conway:** I really do appreciate the help offered by my friend the member for Riverdale (Mr. Reville), who is in an uncommonly friendly and congratulatory mood today. I would be pleased, on his behalf, to call the 18th order.

If I might just seek unanimous consent of the House, the Minister of Municipal Affairs (Mr. Eakins) is not going to be with us this afternoon, so the parliamentary assistant will have carriage of the bill. I am just wondering whether, as a courtesy to the opposition, it would be agreeable to have the parliamentary assistant move to this side of the aisle, if that is at all helpful.

1500

**Mr. Speaker:** The member for Oshawa on that point.

**Mr. Breagh:** I think I must be mistaken. I thought I heard the government House leader say that this bill, which was so important, which they had to have, does not have a minister to carry it

this afternoon. If that is the case, we would bend over backwards to have the parliamentary assistant sit anywhere he wants to, to carry this bill.

**Hon. Mr. Conway:** I say to my friend that the minister will join us. He has—

**Mr. Breagh:** How nice.

**Hon. Mr. Conway:** In fairness, I say to my friend the member for Oshawa, in agreeing to the emergency debate yesterday the minister has had to make some adjustments. There is a group he is completing a meeting with and he should join us very shortly. I will assure the House that he will be here presently.

**Mr. Breagh:** We will look forward to that.

**Mr. Speaker:** I understand the request has been made that the parliamentary assistant—

**Mr. Breagh:** Sit somewhere on the government side. Sure, no problem. Perhaps he could go out to the scrum and release the regulations while he is at it.

### MUNICIPAL ELECTIONS STATUTE LAW AMENDMENT ACT

Mr. Neumann moved, on behalf of Hon. Mr. Eakins, second reading of Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act.

**Mr. Neumann:** All of us in this House will agree, I believe, that we need a strong and accountable local government in Ontario. This government has made the issue of municipal reform a priority. In order to help ensure this, we need to improve our method of identifying voters. The legislation we are considering today will accomplish this by establishing a new voter identification system.

Because this is such an important facet of our electoral process, it is of the utmost importance that the new system be in place before the coming elections. As the members may recall, my minister outlined the legislation in some detail in his December 16th statement to the Legislature. However, I want to highlight briefly some of the key provisions of this bill.

As many members are aware, the present door-to-door enumeration system simply does not work effectively. The main problem, and it is a serious one, is that the information collected is often incomplete and inaccurate. This raises some doubt about the validity of the voters' list produced.

In every municipal election there are complaints that qualified persons are not enumerated correctly and that their names therefore are not

included in the preliminary list of electors. The new system will address this concern by replacing the door-to-door enumeration with a self-administered questionnaire.

The new system will work as follows. Early in May of each election year, a questionnaire will be mailed out to all households. Eligible individuals will have approximately two weeks to complete and return the forms. The specific deadline will be set by the Minister of Revenue (Mr. Grandmaitre).

We realize, of course, that some people may not return the questionnaires. To deal with these situations, enumerators will visit such households during the six weeks following the deadline. The assessment commissioner will then send an enumeration list of electors to all municipal clerks by the end of July. Each clerk will have an opportunity to review the list, to ensure that it conforms with the requirements of the polling subdivisions.

The enumeration list will be printed and posted by each clerk before the start of the revision period. This list, in effect, will become the preliminary list of electors. The assessment commissioner will also send a notice to every household, indicating each person's status. During the subsequent revision period, electors will be able to apply to their local municipal clerk to have any necessary changes made to the list. After all appropriate revisions have been made, the preliminary list will become the polling list for the November elections.

I want to add that, as the purpose of the new system is to ensure that no eligible person is left off the list, any elector who has been missed will still be able to obtain a certificate of eligibility from the clerk. That person will then be eligible to vote in the election.

In summary, the new system will increase the accuracy of our voters' lists and provide up-to-date population and electoral data. The end result will be a healthier local government electoral process in Ontario. I urge members of the House to pass this legislation expeditiously so that necessary changes can be implemented with minimal disruption.

**Mr. Breagh:** There are a number of us on this side who for a long time have been interested in the process whereby people become eligible to vote and a number of us have thought about and worked at different kinds of proposals to change what we all agree is a flawed system into something that would be better. Our inclination, quite frankly, would have been to be very supportive of this notion. None the less, we are

Her Majesty's loyal opposition. It is our job to oppose, and that is what we will do with this bill.

I think it is important to get on the record this afternoon what has transpired around all this. For example, the ideas contained in this initiative this afternoon are not new. They are concepts that have been discussed by Anne Johnston's committee, by a number of municipal associations and by a number of people who have been aware for some time that there is a problem with the enumeration process. We have all been amused at different levels when this is done, at dogs that made their way into the voters' list, not to mention the dogs that actually get elected. There are hilarious little anecdotes from all over Ontario in every enumeration that was ever done about things that go wrong, and they do go wrong. Essentially it is, in part, because it is an aspect of the electoral process that does not get a lot of attention in this country.

We do spend considerable time, money and effort trying to prepare people to do a proper enumeration, but it is done by different levels of government at different times. There is no kind of set professional force at work to do this. We have looked at other jurisdictions where, I suppose, it is more an integrated part of the electoral process than it is here.

This bill before us this afternoon calls for a series of proposals which in a slightly different time frame I would look at in a different way. I want to say I am confused somewhat by the initiatives taken by the government on this matter. This is one of those things where the government announced its intentions last fall by means of a ministerial statement and one of the few areas where it actually put together legislation and even allowed us to see it. I took that legislation to my caucus in the fall session and asked it to consider the matter, which it did. We have been prepared to deal with this bill since about last November, near the end of the fall session.

I had anticipated, since I had private conversations with various ministry people, that the government was anxious to do this, and the government made a pretty good argument, to me anyway, privately, that it needed, above all else, time to implement, that this was a venture that was going to involve participation by more than one ministry. Those who have been around here for a while know that is always a danger sign. Whenever one asks more than one ministry to participate in a project, one knows right away there are problems under way. To ask one set of bureaucrats to actually deal with another set of



bureaucrats causes problems. It is not the smoothest thing in the world.

I think this initiative would have produced a different response from me personally if we had proceeded in the fall to do the legislation. We were ready to deal with it then. I had anticipated that somewhere near the end of the fall session the minister would seek an opportunity to put this bill in front of the House. I believe he tried to do that, in a halting way, on a couple of occasions.

I would have thought it would be imperative that this bill be dealt with in the fall session. I would have thought the government obviously would have needed the better part of a year to implement this because this is new ground, because this involves more than one ministry and because it has an impact on every municipal election all over Ontario this fall. The government will have to do in a very short period of time something I do not believe it can do.

This bill, I assume, will carry. The government's majority may not desert it totally on a bill of this nature, so I assume the bill will carry. But I am anticipating, quite frankly, that the minister will encounter serious difficulties in implementing it.

1510

I am aware that some of the provisions about giving people notice are already going to be in jeopardy. I am aware that some of the definitions that are contained within the bill still have not been worked out. I am aware that there are going to be challenges and problems to overcome. I am concerned, therefore, that if this process is to be put in place for this fall's municipal election, it stands a reasonable chance of succeeding. I do not believe it does. I believe it would have if it had been dealt with in the fall and they had a full year to run at it.

I believe that a more sensible proposition, frankly, would have been to give themselves a whole lot of lead time to process this bill in one year, perhaps just after a municipal election, and then give themselves a full three years to work the bugs out of the system, because the problem that I want to pinpoint this afternoon is precisely that the system is probably one of the most important parts in the electoral process; that is, who has the legal right to vote in the election. It always comes down to human beings looking one another in the eyeball and saying, "You do have the right to vote," or "You do not." In that moment, we are not particularly as well prepared as I would like to see us be.

I believe there are good intentions at work here. I believe a number of groups, associations

and people across Ontario have been aware that there are flaws in the way we enumerate people, flaws in the way we prepared those lists, difficulties with definitions; and the ramifications are very serious indeed. It is not the kind of thing that I would do on the off chance that we might get this thing right the first time around. This is a venture that we have not tried before. It is a venture that the government knows is in some difficulty at this moment if this bill, for example, carries this afternoon or tomorrow afternoon.

My information from ministry staff is that the government is going to have a very difficult time implementing the bill in time for this fall's election. I am not quite sure why it is proceeding, but I venture to say that there are real problems ahead. I would go so far as to say I would not be surprised to see, three or four months from now, some minister of the crown standing up and saying, "We tried but we could not do this." I think that is a rather difficult position to put municipalities in at the moment.

The government is going to change the process by which people are qualified to become electors in the system. The government is facing a municipal election this fall. If this system does not work out, there are always fallback systems, but I am going to predict that is probably where the government will be. It may give this an attempt now, and it has made provision in here for a fallback position.

Just to go through some of the little flaws that are here: it sounds to many of us like quite a reasonable proposition that a ministry of the government will send out to the population at large some kind of a questionnaire and that people will, in fact, return that; but there are many people who may not get that. Any one of the members who does what is called in the trade "mailouts" to constituents will know that one of the most vexing and difficult things to do is keep an accurate mailing list because in many of our communities, mine in particular, people move from one location to another so it is difficult to keep an accurate mailing list together. In my municipality, for example, the turnover rate among occupants is about 50 per cent in many buildings; the people who lived there last fall do not live there any more, by and large.

To do the first leg of this process by means of a questionnaire being mailed to people is going to cause some problems, and that is setting aside the concerns that many of our constituents might have in being able to actually understand the questionnaire. The more I am in politics, the more I appreciate the concerns that many people



have that questionnaires from governments are not often the easiest things to understand. I really do not know why that is, but I would admit as well that very often a questionnaire that was prepared by some person working in the civil service and that looks very straightforward to him, does not look quite as straightforward to me.

Many of my constituents who may not be quite as fluent in the English language as somebody like me or quite as familiar with bureaucracies and forms and questionnaires as I am, have double problems in trying to fill out this information. Some are not too sure what this questionnaire is all about. Some simply do not trust governments and do not bother to mail them back.

I think there are a number of places, as we go through this bill, where problems can occur. In fact, I cannot convince myself that the government is prepared to implement this. I know it wants to try, but I also know it is as aware of the problems as any of us. My concerns, for my part this afternoon, will centre precisely on whether the government can do what it purports to do in this bill.

I want to conclude by saying that, frankly, I do not believe it can. I have a number of other colleagues who want to speak a little more specifically to what might be done, but for me the most important question is whether this legislation can actually be implemented before this fall's municipal election without really screwing it up.

I do not believe it can be. I am concerned somewhat that a foulup at this time becomes very critical; that if the government starts out to do one system of enumeration now and has to admit failure in August or September, it is going to have problems putting in place a second system which will actually do what needs to be done for electoral purposes this fall. That is the concern.

Let me take a moment to suggest what might be a better way to go. I believe we have to, in this nation, do something about this process, and that there are really serious problems. I guess the wonderfulness of politics and elections in Canada is that, despite all of the screwups, it all still works. In some wild and wonderful way, at the end of the day, a government does get elected and local elections are decided. But many of us who are very active in a way the population is not, in terms of elections themselves, are aware that this is a really imperfect process under way.

At the best of times, people with the best of intentions get it all fouled up and at critical

moments, particularly on election day, you really cannot find a way to get somebody where he ought to be. You get into a constant barrage of little arguments over whether some returning officer did his or her job properly, whether they provided a sign that actually identifies where the polling booth is, whether they provided access to somebody who needs a little assistance with access, whether somebody actually got his right to vote carried through.

We all have a variety of ways in which we relate to that. Perhaps I am a little too sensitive to them. Perhaps in the long run it really does not matter, but I want to propose that, whatever happens with this legislation, a move is made by Ontario to co-ordinate with the federal government, the provincial government and the municipal governments to provide for a better form of enumeration.

Frankly, I am an advocate of a permanent voters' list of some kind. I am open to argument about how the government does that. If there is a positive step in this bill, I see that, above all else, as a first step in that direction. I hope that is where the government is going, but I believe that in this country one of the things we really have to do is to work very hard in nonelection periods to ensure that those who are legally qualified to vote are known and that they have an opportunity to exercise their democratic right to vote.

We will probably see it again this fall in municipal elections, the great tragedy of our times in many of our communities, that sometimes close to 70 per cent of the population will not vote for anybody because they will not even exercise their right to vote. In part, I would say we do not make it easy for people to vote in this country. We do not facilitate that process at all; whether that is the enumeration process, whether that is the actual voting process, there are a number of elements that are rolled into it.

I recall a number of occasions when people have called me on election day and frankly said they are just fed up with the system. They are not on the list. They cannot get on the list. They cannot get access to a polling station. Somebody did not ensure them of their rights. So there is a wide variety of problems there.

I will leave the government with one positive thought: I believe if this is its first step, great. I believe there is a lot more that has to be done than what is proposed in this particular bill. I hope that the long-term goal from a number of levels is to just get this part of the process accurate.

That would be a monumental step forward, if we had a voters' list that was actually valid. Not



to say that all of the other voters' list to date were not legally proper and all of that, but if the voters' list itself was based on fact, if it provided a system whereby all of those who were entitled to vote actually got to vote and if it got to the point where we were not challenging the validity of those deemed to be electors in any given election, that would be a substantial improvement in the democratic process in Canada.

1520

Our reservations on the bill, frankly, do not stem from the principles that something has to be done. We give the minister that one, that is true. Our problem with the bill is that we are unsure at this stage, and I am personally quite convinced that he cannot do what he purports to do under this bill and that confusion will cause problems in this fall's municipal election.

I wish we had been able to deal with this particular piece of legislation during the fall sitting, because then I could have seen the lead time that the ministries would need to co-ordinate their work. I see where the problems are and I think the ministries are both aware of where the major difficulties are in here. There are still some arguments unresolved and I do not think the minister can start the process with those arguments in that state. I believe they have to be tightened up.

I believe the minister is going to be standing in his place, at some point in time between now and next fall, saying, "We tried, but we just could not do it." The only problem I see with that is it then enters into a new era of confusion where many people will have been notified by means of a questionnaire and they will not be quite sure about it, then someone will knock on their door and they will not be quite sure what that all means. There will be confusion.

If the electoral process works at all, it never works very well when there is a lot of confusion rampant in the land. It works only when there is some clarity as to who has the right to vote and who does not and what the purpose of the exercise is, and sorts it all out in the public mind in that vein.

We will not support the legislation this afternoon. Frankly, I would have preferred to support the bill, and on another day, in a different way, we would be happy to do that. I do not want to say bad things about a ministry that is trying to respond to an obvious need. I am saying very basically that we preferred this be done in a more orderly way. The passage of this legislation right now, I believe, causes more problems than it

resolves. I think the ministry is guilty of, if anything, good intentions and lousy timing.

I believe this bill has some flaws in it that could be worked out, given a little bit of time. But I think the minister is going to cause more headaches than he resolves in the processing of this legislation right now. I say that as one who has been involved in the electoral process at just about every level in Canada and who knows there is a deep-seated problem about this part of it. I wish it were otherwise, but I think this particular bill, this particular initiative is not going to have a very successful ride, even if it gets out of this Legislature in short order.

**Mr. McLean:** I am pleased to participate in the debate on Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act.

I find it unbelievable, when we have a parliamentary assistant with many years of municipal experience and a minister with many years of municipal experience, why they would wait until this sitting to bring this legislation forward. I have many years of municipal experience myself and I can tell members that this bill has some faults and some benefits, in my opinion. I find myself in the rather unique position of finding many faults, as well as many benefits, in Bill 77, which will aid in the identification of voters who will be eligible to cast ballots in the municipal elections in November.

The current door-to-door system of enumeration which is conducted in the fall prior to municipal elections has a number of weaknesses that have created concern and some doubt for voters. As we all know, there is traditionally a problem with the accuracy of the names on the list and with ensuring that all eligible voters are on these lists. One of the main causes of this problem is the reluctance many enumerators have in asking such personal questions as religion, to determine school support, and language. Recent changes to the Education Act have made it essential that the identification of English-language and French-language electors be as clear and accurate as possible.

This legislation will replace the previous door-to-door system of enumeration with a bilingual questionnaire which is to be mailed out and returned in the spring. I can see a number of advantages to this system of enumeration, including the fact that it should increase the completeness and accuracy of the voters' list. It should eliminate the problems encountered by enumerators asking potential voters personal



questions and the reluctance of potential voters to reveal this information to perfect strangers. It should provide timely population and electoral information for determining municipal election representation and the size and composition of the school boards.

Under this proposed system, voters will have more time and increased opportunities to ensure that information about them on the voters' list is accurate because voter identification will take place in the spring rather than in the fall just before they troop to the polls in November. At the beginning of May in each year a bilingual questionnaire, including instructions on how to fill it out, will be mailed directly to all households and other premises by the Ministry of Revenue.

All people will be required to return these forms on or before the day designated by the minister and during a six-week follow-up period enumerators will visit households which have failed to return their questionnaires to collect the forms and to assist individuals in filling them out properly.

I like this double coverage that potential voters will receive and I believe it will result in more accurate voters' lists, but I have one reservation on that: who is going to visit the nursing homes or the Huronia Regional Centre, which has 700 and some residents, of whom approximately 50 voted the last time? Who is going to visit, as I said, the nursing homes and the homes for the aged and do all these extra things when you send out a mailing that will probably not end up in anyone's mailboxes in those homes? We must remember they all have a vote.

If no return is filed even after this follow-up, the electoral forms and status of an individual will be based on the ownership or tenancy data as indicated on the assessment roll. A preliminary list of eligible voters will be produced by the Ministry of Revenue and sent to all municipal clerks by July 31. That is my understanding. A voter identification notice showing the electoral status of each person will be mailed to every household by the Ministry of Revenue by August 31.

So far, members can see I have no difficulties or problems with Bill 77. Once the enumeration process has been completed, electors will have the opportunity to make changes to the voters' list during the revision period which begins on the first Tuesday in September and ends on the Monday 28 days before voting takes place. I feel that this period is too long, but I will get to that in more detail a little later on.

The necessary changes will be made to the preliminary list of electors by the municipal clerks and the revised list will ultimately become the voters' list. At this stage, however, it is still not too late for voters who have been missed to get on the list. They can still obtain a certificate of eligibility from their municipal clerk. In nonelection years the list will be continuously updated through such mechanisms as changes of ownership and the assessment roll.

I like the idea that the government has promised to initiate a multilingual public information campaign in the early spring to prepare the voters for the arrival of the voter identification form in the mail to ensure that no one is left off the list. I hope this is one promise this government plans to keep.

As well, the government has promised to set up a network of community groups to assist people whose first language is neither English nor French to complete the voter identification forms. This is another promise I hope this government plans to keep.

**1530**

I would now like to address some of the concerns I have about Bill 77. As I mentioned earlier, moving the nomination date from 21 to 28 days before the election, in effect creating a four-week-long campaign, is disturbing, because we do not need another lengthy election campaign to add to those of the federal and provincial levels of government. People are tiring of lengthy campaigns, with the exception of reporters who are looking to be kept busy and out of trouble; but many candidates cannot afford the time away from work, and I think a longer campaign would be a financial burden on our smaller communities.

This bill is just one of many legislative changes that will significantly alter and affect the 1988 municipal elections. I feel that the government could be throwing too much at our municipal governments all at once. The government wants to change the distribution of school trustees throughout the province. It wants to alter ward boundaries in Metropolitan Toronto. It wants to make changes to campaign expenses and contributions. Is this too much food for municipalities to digest all at once, if the government wants to have all the changes in effect prior to November?

I think there will be massive legislative indigestion throughout this province because of this government's agenda. Municipal clerks and other election staff will see their administrative responsibilities drastically altered and budgets



increased severely because the government is rushing this through with little time for these officials to adapt to the new law.

While I support many changes that will make municipal elections fairer and more accessible to both voters and candidates alike, I have to wonder why the government has delayed introducing this legislation for so long and then turned around to ram it through at what is considered to be the very last minute. We have now entered a municipal election year in Ontario and we have major amendments to legislation pending and, in some instances, not even introduced for our consideration in the Legislature.

Once again this government is governing this province by chaos. I suggest they go back to the drawing board with much of Bill 77 and contemplate introducing it again.

I say to the minister, through the parliamentary assistant, that having dealt with some 11 municipal elections, I find it hard to believe that the mailout will work; there are going to be many missed. I still believe that the personal touch of people going door to door is the best system, and I still believe that perhaps if there had been more time spent in studying that aspect of it, it could probably have continued on. A mailing list will be a disaster. I have to tell the members that when I send out a mailing, as many other members do here, there are always hundreds of changes every time.

I can go back and repeat, as I have indicated before, that the fall session would have been the opportune time to introduce this legislation for debate. It should have been sent to committee for public input.

I talked this morning on the telephone to a reeve from a small municipality who was not aware at all of this legislation coming forth. I am sure there are many municipalities in this province that are not aware of it. Maybe the clerks are aware of it, maybe the administrators are aware of it, but the politicians are not always aware of it, and I am sure that that is the case here. I feel that this legislation should be sent out to committee for public input to let those politicians in the municipal and rural areas have some input into this bill.

I find it hard to understand why the minister would believe that the municipality of Carden in his riding, with some small population, needs 28 days to campaign. It is totally unacceptable, in my opinion.

Bill 77 is a bill that is going to affect a great many people in this province. Every municipality—800-and-some of them—is going to be

affected by this piece of legislation. I am sure there is not one third of the municipalities aware of what is taking place in this province today with regard to this legislation. I feel sure of that. We talk about an open government—no walls, no barriers. Do we see it here? I think not. I do not understand why this government wants to bring this legislation and put it through at this time.

I hope that the minister would see fit to send this bill to committee for public hearings and in-depth study so fewer changes will need to be made in the future. Mr. Speaker, thank you for the opportunity to speak on Bill 77.

**Miss Martel:** I am joining my colleagues, one who has already spoken and a number of others who will speak, on this bill. I would like to make several comments concerning it.

I agree with the principle of the bill, as the government has presented it, for several reasons. I recognize the significance of what the government is trying to do in order to amend the present process, which we have seen has been extremely troublesome and burdensome, with many people left off the list and its not being very complete at all. I can recognize that they are trying to amend a number of the weaknesses in the present system, some of which traditionally include a problem of the accuracy of the lists themselves and the number of people who were on, the actual people who were on. Were they eligible to vote or not? There have been a large number of people traditionally left off the voters' lists as well.

We have seen a number of problems in terms of information that was appearing on the list. It was indeed inaccurate, and there were no attempts to change that or enough time to change that. Certainly, there have been a large number of difficulties associated with the problem of determining school support. Usually that has come down to a problem of enumerators finding it difficult at the doorstep to address those questions of language and religion. They found it difficult to do that at the doorstep with people, to try to get around that. We have certainly had a problem in determining where school support was going and the numbers involved in that.

I think, finally, that all of these problems, and in particular the last, have been intensified for francophones in this province, because francophones have had, in many cases, difficulty understanding the process; they have had difficulty in having enumerators at the door who have been able to explain that to them and the importance of having themselves put on the list. What we have seen is that the present process has been really incomplete at best, and in many ways



it has been a fiasco at worst, specifically in terms of the question as it applies to francophones in the province.

I want to say that the bill itself recognizes some of those problems. It makes some good attempts to address those and make the proper changes. First of all, the questionnaire is going to be bilingual, and that is a far step forward. It goes a long way to improving the process for francophones who want to and who should be involved in the process of enumeration and of voting in municipal elections.

Second, the questionnaire itself will allow voters to respond directly to those very personal questions of language and religion which otherwise they might have difficulty doing; that is, at the doorstep where they might be hesitant to respond to questions from enumerators. They are now going to be able to address those questions directly on the questionnaire. I think that is a far step forward as well for dealing with maybe some of the unease that people would otherwise have under the current process.

It will also go a long way then to achieving greater accuracy in determining the number of French- and English-language voters, which will then in turn deal with better accuracy with the question of school trustees and those numbers. In terms of the francophone community, as well as the questionnaire itself being bilingual, some of the questions it is going to address are going to have a great impact on francophone education in this province.

What the questionnaire will do, probably for the first time ever effectively, is identify those numbers of students who are or are going to be pursuing French-language education in this province. Second, we are going to have a greater idea of the number of francophone schools that are going to be required in this province in future. Third, we will probably have a better idea, at least the Minister of Education (Mr. Ward) will, as to the amount of funding that is going to be required in future to provide Franco-Ontarians education in their own language. Finally, it is also going to aid the government, and certainly school boards, in determining the number of trustees who are going to be required in both school systems and in both languages.

1540

I commend the government for the attempts it is making to address, in particular, some of the problems that are so evident under the present system, and I recognize the lengths to which it has gone to try to address some of those difficulties. However, I have to say that there are

a number of problems associated with this bill, not the least of which centres on the timing of this particular bill. My colleague the member for Oshawa (Mr. Breaugh) went into this question at some length, and I am going to pursue it as well.

As it now stands, the provisions within the bill are going to make it exceptionally difficult, if not impossible, to bring this bill through, to get it to the public and to have it operating effectively by the November elections. I am not sure how the government is going to do that. I would really like to go through the bill a little bit more carefully to look at some of the problems this entails, having the bill now when we should have been discussing it in November.

First, we have this questionnaire, which must be mailed out to Ontario residents at the beginning of May. That is stipulated in the legislation itself. That will be mailed out by the Ministry of Revenue. The problem is, it means the forms should be ready and in place now in sufficiently large volume to be mailed out to the residents of Ontario. I was able to get a copy of the form today, much thanks to the minister responsible for francophone affairs (Mr. Grand-maitre), who gave it to me, and that was the first time I had seen it.

Actually, what they told me was that the forms should not be out in the public, so not a great number of people, except ministry people, have seen them. If there are problems inherent in the forms, and I think there are, this government is not going to have time to address the problems, even in the form itself, which is going to cause confusion and a great deal of difficulty for residents trying to respond properly to this.

I am not going to go through the form yet. I will come to that in a minute. I want to complete the section in terms of the timing. The problem with the form is a significant one, and I will deal with that in a moment.

Second, the Ministry of Municipal Affairs and the Office of Francophone Affairs, in the statement that the Minister of Municipal Affairs (Mr. Eakins) made on this bill, stated that there would be a comprehensive public information campaign in both English and French, and in other languages, to explain the new system to voters in this province. This campaign was to be carried out before the questionnaire arrived at people's homes, which I repeat is at the beginning of May. In consequence then, this advertising campaign should be well under way and in effect at this point if we are going to be able to reach those groups and have them



understand the new system, which is going to be complex indeed.

I do not see any campaign going on. I do not know if the ministry has those plans in place. Certainly, if they are not in place, they have to be got together fairly quickly, especially if this bill goes through in the next couple of days. I must say that I really do not know how this government is going to put that type of advertising campaign into this province to make people understand what is happening under this new system. I have some grave concerns about how this media campaign is actually going to work and how it is going to be effective.

The Ministry of Municipal Affairs also promised that it would establish a network of community groups which would assist individuals whose first language was neither English nor French to understand the particular bill. Again, we run into the same type of problem that we do with the advertising campaign. I have no idea whether the ministry has made those contacts, if indeed that network is in place. How does the ministry propose to get this type of information out to the minority groups in this province in order to have them understand the new system?

Certainly there has been no talk. I do not know what is going on in the ministry. This whole thing has been so rushed that I do not think very many people have an idea, perhaps not even ministry officials themselves, about how that is going to come about. I would think it poses a tremendous problem for the ministry to make good on the promise that the information will be made available to minority groups in the province.

I want to point out in that vein as well that l'Association des enseignantes et des enseignants franco-ontariens, which is a group of teachers in the Ottawa-Carleton region in particular, approached the Office of Francophone Affairs some time ago asking what kind of media campaign would be run in order that it might be able to run a parallel campaign.

The main approach that the francophone groups are trying to put across now is that they want francophones to participate in the system, but they admit that more people, in particular francophones, have to be made aware of what the bill entails and the importance of actually signing this documentation and voting in November. They have been very concerned about this. They have approached the government to ask what kind of campaign is going to be run in order to run a parallel campaign.

I say to the parliamentary assistant as well: I do not know if that is coming about, if the ministry

indeed has plans for advertising and has shared these with francophone groups in the province which are very concerned about making their people aware of the situations and of the complexities of this bill. I think that the government is also going to have some great difficulty in meeting with those groups in order to try to run a parallel campaign in that regard.

If the members look seriously at the timing as outlined in the bill, they will have to admit that there is very little way—I think it is practically impossible—that the government is going to be able to bring this in, bring it in realistically as a process that is going to work in November, as a process that is not going to cause a great deal of confusion and one that is going to make the present process simpler, easier and more accurate. I say to the parliamentary assistant that, under these provisions, I am not sure how he is going to be able to do that.

In terms of the form itself, I want to return to this question. There is a serious problem which has been pointed out to the ministry responsible for francophone affairs, at least in terms of French language rights and the maintenance of these rights.

French-speaking individuals in the province are going to be asked to identify themselves in order to be eligible to elect trustees to school boards to represent minority-language groups. A French-speaking individual can qualify or is eligible under this provision if he or she can answer "yes" to one of the three questions. I am going back to the form which was made available to me this afternoon.

The first question is, "Is French the language you first learned and still understand?" The second is, "Did you receive your elementary school instruction in Canada in French?" This cannot include French immersion or French as a second language. The third is, "Have any of your children received, or are they now receiving, elementary or secondary school instruction in Canada in French?" Again, the provision does not include French immersion, nor does it include programs of French as a second language.

What in effect has happened is that the qualifications as they appear on the form exclude a large number of new Canadians who use French as a first language, but it is not the language they were born to. It excludes a large number of these new Canadians who otherwise consider themselves as active members of the francophone community.



If I can just name some of those groups, we are looking at a large number of Arabic groups or groups of people who lived in former French colonies who first learned their home language and then French as a second language. Coming to Canada, it is indeed not their first language, but they identify themselves with the francophone community instead of the English community.

There is a large number of groups out there in that category. They are not addressed in this bill and indeed, under those qualifications, they are going to be excluded from giving their support to French trustees as opposed to English trustees.

What happens under the terms of this form is that, if you cannot answer "yes" to any of those questions, you immediately are moved to elect English trustees. There is no provision for this group actually to be allowed to elect French trustees or to support French trustees even though they use French as their language now and are identified with the French community.

The Carleton Board of Education has pointed this out to the Ministry of Municipal Affairs. To date, in looking at the bill, there have been no amendments brought forward, so I take it the government is not going to respond to this very serious concern which has been pointed out to them by the Carleton board.

I would say to the parliamentary assistant that perhaps we could have amendments here that would rectify this situation. We do not see it coming today and, if this bill goes through, there are large numbers out there who are going to be affected and indeed who are going to be disqualified from giving their support to French education and French trustees.

There is a second problem in terms of the language written into the form. I want to address that as well. It also concerns a section on French-language education rights. If I can just read this to the parliamentary assistant, it states: "In communities where a school board operates both French and English schools, trustees will be elected to the school board to represent the minority-language group." However, members of the Legislature will know that, under the Education Act, in 1988 trustees will also be elected to represent minority-language groups in other areas. I will quote this: "where a board enters, or has entered, into an agreement with another board, or boards, to enable a calculated enrolment of at least 300 resident pupils to receive instruction in one or more French-language instructional units operated by the other board or boards."

1550

What we are seeing is a problem that the qualification on the form and the information present on the form are incomplete because they do not include the second section referring to the Ministry of Education. It is misleading in many ways. It gives the impression that the identification of French-speaking persons is only useful in areas where there will be French-language sections; that is, in areas where a school board operates both French and English schools.

I should point out to the parliamentary assistant that the identification of French-language voters is still essential: first, for statistical data; second, for requesting French-language education; and finally, for the election of French-language advisory committees. What happens in this form, because the qualification is so narrow and admits the provisions under the Education Act, is that there will be a large number of French speakers who will consider themselves not eligible to vote in this regard or not eligible to mark down that they are supporting French-language schools in the province.

This was pointed out by the Carleton board. Again, I see no amendments being brought forward by the government in this regard, so I have particular concern that if the section has not been amended or deleted completely, it is probably going to reduce the number of identified French-speaking ratepayers and/or electors in this province.

With those two questions in particular on the form and the overall great problem with the timing of this legislation, I say to the government it is going to have some great and tremendous difficulties in trying to get this legislation through to the public and have it working in place by the time of the municipal elections.

I reiterate that we support, on this side, the principle of the bill, but due to the great difficulties in timing, and for myself the real difficulties inherent in the form and what that is going to mean to francophones in the province, I would have hoped the government would have brought forward some amendments to deal with that situation. I wish the government luck because I think it is going to be a source of major confusion. I certainly hope that what my colleague the member for Oshawa has said will happen, that in four months' time or five months' time the government will have to stand here and say it could not be done, will not happen, but I really cannot see how it can be otherwise, given the bill in its present form.



**Mr. McCague:** I congratulate the government for bringing forward a bill or any bill which would expedite the enumeration system. Like all others who have spoken, I think the parliamentary assistant has left himself far too little time to accomplish what could otherwise be a successful system. We are, after all, dealing with municipalities of many different sizes, and while the larger municipalities are staffed and knowledgeable in changes that are being suggested by the government, the smaller municipalities do have some difficulties with the multitude of changes they are now facing.

The parliamentary assistant wisely, I suppose, dealt with Bill 77 before he dealt with Bill 76, even though the numbers seem to be in reverse order. I think the member for Brantford (Mr. Neumann) knows there are some considerable difficulties with Bill 76, which we might have otherwise dealt with first.

I am concerned, as has been said, with the May 1 mail-out of the questionnaire; that date is very quickly approaching. I am also concerned about how this enumeration will be taken. On page 7, under subsection 21(4) of the bill, clause 14(5)(a) of the act, it mentions "delivering or mailing a municipal enumeration form as prescribed by the minister to the last known address of each inhabitant." I am not sure what that means. The last known inhabitant may be in Quebec or British Columbia or out of the country.

If that does not work, the minister is going to canvass "the premises of those inhabitants who have not completed and returned the notice delivered or mailed under clause (a) on or before the 15th day of May or such other day as the minister may prescribe." It may be only a problem with the wording here, but it is the "last known address of each inhabitant," and then they are canvassed after that. If he is not around, how can the minister canvass him?

Or he is going to do it by "such other means or in such other manner as the minister may prescribe." Of course, I presume these are regulation-making powers, or maybe they are powers that are given to the minister to proceed in whatever fashion he sees fit. The minister could correct some of the discrepancies he has through his clause 14(5)(c) in that section.

I think he is just in for a multitude of problems in trying to do all this—after all, my counting says he has very few days—until May 1 when the system is supposed to be all ready to go. A copy of the form has been given to the member for Sudbury East (Miss Martel). I do not happen to have one. I am aware that in the Ottawa area there

are a lot of problems with the form as it applies to the French electors in that area. I am not aware that all those issues have been addressed even in letter form to the people who have written to the minister in this regard.

I think there is just too little time. I understand that the minister is under some pressure from the French-speaking electors to proceed with this bill in order that they can get a list that would be appropriate for the elections in the fall. I understand that point, but I am not sure that we should be putting the whole province, the ministry staff and so forth to the pressures and uncertainties that I think are inherent in this whole thing.

It might be a lot wiser, and I suggest it would, if the minister would leave the system as it is for this election, and right after the election get working again on a system which would take effect in 1991. I know that the parliamentary assistant and the minister will be prepared to throw all kinds of resources, money and people into this system to try to make it work to the best of their ability in the next few months, but I think doing that does not in any way alleviate the fears, concerns and misunderstandings of the people they are trying most to serve; that is, getting every person on the municipal voters' list.

The ambiguity of that section I read earlier tells me—I do not know what it tells me, to be perfectly honest. I know the parliamentary assistant will explain that to us when he has the opportunity. There has always been a problem with people being left off the enumeration, whether it be the system that is conducted for municipal elections or whether it be provincial elections. All of us know that whole blocks, for some unknown reason, can be left off. I think that we, as the Legislature, owe it to the people, if we are going to change the system, to prove to them that it is a better system.

Given the time constraints the minister is now under, he may have all kinds of people to blame for why he did not get it on the agenda prior to Christmas. Be that as it may, he did not get it on. His House leader may have pressed very hard for it—I am not aware of that—but here we are, right up to the deadline, trying to push through a system which, in my opinion, has not had sufficient scrutiny by those who are probably the most concerned. Of course, the most concerned are the electors, the ratepayers, but the people who have to make all these things work are the municipalities.

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I am aware that the Association of Municipalities of Ontario has endorsed the bill in most parts. I am not sure if the AMO report or comment covers the Rural Ontario Municipal Association, for instance, or other smaller northern Ontario organizations, but probably the parliamentary assistant can tell us just what it is in that regard.

I would like the parliamentary assistant to explain to us why they went from 21 to 28 days. It may well be that is the length of time that is necessary for people in the municipal offices of these municipalities to get this work done under the present system.

If it is not that, I would say that, maybe not in the bulk of the population but in the bulk of the municipalities, the 21-day period is quite sufficient. After all, the people who are running in municipal elections are much the same as the member for Brantford who has never quit campaigning for the last 10 years. They do not need 21 days to persuade the public whether they should be supported. It is a long period.

The parliamentary assistant is throwing this change at them. He is trying to throw at them Bill 76, An Act to amend the Education Act and certain other Acts related to Education. He is throwing at them—there are so many I cannot catch all the balls—the Municipal Elections Statute Law Amendment Act for campaign expenses. He is giving them the opportunity to decide whether they want Sunday shopping. That battle will be between those who want Sunday shopping and those who do not, who will be lobbying the councils to get the item on the ballot, be it one way or another.

Heaven knows what else he has up his sleeve. There may be something come from something that happened today in the hall. There may be something slid in tomorrow like the one that was slid in yesterday. What is he facing these people with? I guess, for the most part, he is facing them with making the decisions the government should be making.

I hope the parliamentary assistant will take these things under consideration. As the member from Sudbury said, we would have expected to have had some amendments to this bill from him. When we do not have any amendments from him, I presume he does not intend to make any. That is the only presumption we can make, and if I am wrong on that it would have been a courtesy to have had them to us by this time.

I think there is still lots of room for discussion on the 21-day period to the 28-day period for the election campaign. The honourable member will no doubt answer the questions I have raised.

When we get into committee of the whole House today or whatever day that might be, I will have some additional questions for him.

**The Deputy Speaker:** Are there any questions and comments pertaining to the member's statement?

**Mr. McLean:** I think it is speeches such as this that makes legislation better. Some of the key points were spoken to by my colleague the member for Simcoe West (Mr. McCague). The very key point in this legislation is the 21 days to the 28 days. It might be all right for Metropolitan Toronto or for Ottawa. What about the small rural-urban areas, which my colleague touched on, with 1,000 people or less? Why 28 days?

Because it happens in Toronto, do we have to do everything that Toronto does? Is this legislation passing and being commented on for Metropolitan Toronto? I happen to believe that the 800-and-some municipalities should have some input, and when my colleague is talking about urban and rural campaign expenses and municipal experience, do they need those 28 days? I think some of the comments my colleague has made are very worth while for the minister to consider.

**The Deputy Speaker:** Any other questions or comments? If not, would the member for Simcoe West like to respond?

**Mr. McCague:** Yes, I would like to thank the member for Simcoe East.

**The Deputy Speaker:** Do any other members wish to participate? The member for Etobicoke-Lakeshore.

**Mrs. Grier:** Thank you Mr. Speaker, and I thank the member for Scarborough West (Mr. R. F. Johnston). I participate in this debate with some interest, having been subjected to the existing legislation on municipal elections for my 15 years in local politics and having been subjected last September to the even worse administration of the existing provincial election law. It was in my riding that 30 polls failed to open because of the incompetence of the administration of the election and the appointment of the returning officer by this government, so I have a very deep self-interest in trying to improve the electoral system of this province.

It was therefore with some delight that I heard this bill being portrayed as a step towards a permanent electoral list, because that is something I and others of my colleagues have felt for a long time would be an advantage and a progress that ought to be welcomed.



However, when looking at the details of the legislation, one is forced to conclude that this short step towards a permanent voters list creates more problems than it might solve. It is for this reason that we here on this side have so many questions and concerns and lack of support for the legislation.

I think, of course, the primary problem is that it is so late in coming. When the Minister of Municipal Affairs released the report of the Advisory Committee on Municipal Elections in February 1987 and said that final recommendations would be received by the ministry at the end of May 1987, he then went on to say, "It is my intention to have electoral reforms in place well in advance of the 1988 local government elections." Here we are well into 1988 and still trying to get this legislation dealt with. I hold the government entirely responsible for the fact that we are coming down to the 11th hour and the legislation is not in place.

It is certainly my position that if it were in place we probably would, as I say, have had more problems than we would have solved, because I think in bringing in this legislation the government has missed the boat. It would be much better to take it back, talk to everybody concerned and try again, because the legislation that is likely to be in place is going to be there for quite some time.

We have had the advice of the Advisory Committee on Municipal Elections, a very thoughtful and intensive review of the whole system, and most of its recommendations appear to have been ignored by this government. Their analysis of what was wrong with our way of collecting voters' lists was very substantive and pointed out that enumeration, as everybody participating in this debate has said, was not the way to go.

They made the point that sociological changes are taking place that make enumeration more difficult to conduct. Enumerators are more difficult to find and residents are less willing to provide information. Any one of us can, I think, attest to that. As a candidate, it is getting harder and harder to get all of those doors answered when you go knocking on them, whether it is because people are hesitant to open their doors to strangers or whether it is because in cities like Metropolitan Toronto people never seem to be at home during the hours when either candidates or enumerators are likely to be knocking at their doors.

It also pointed out in the advisory committee report that enumerators are unable to make

contact with 15 per cent of the residential units and only 15 per cent of the notices left at these units are returned. There is always a hard-core group that will never respond. Some residences do not have mailboxes or any place where notices may be left. The rate of response to mailed-out nonresidence notices is low.

That committee very clearly spelled out that enumeration as presently conducted does not work.

So what do we have in the legislation before us? We have enumeration still there filling in the gaps from the questionnaire which has been sent out, and we know from the advisory committee that it is likely a great many of those questionnaires will not be returned. They have in fact given us the worst of both systems. We really do not have a permanent list. We have a self-administered list to some degree; and then we have enumeration.

#### 1610

Having had a committee report that said (a) a self-administered list probably will not work, and (b) that enumeration will not work, I really do not understand the thinking behind the ministry bringing forth this particular piece of legislation.

The recommendation of that advisory committee which I think made the most sense was that we give further study to a permanent voters' list. Its analysis clearly spelled out the advantages and disadvantages of that. It pointed out some of the difficulties and some of the arguments that had been made in other jurisdictions. It pointed out that in the UK there is one system, there is a compulsory system in western Europe, and in Australia there is yet another system. There are models that could be looked at.

Surely it is not beyond the wisdom of the ministry officials to come up with a system that would be applicable to Ontario.

The concern that was expressed in the report, and was identified in Quebec, about the privacy issue, is one I think perhaps is very real. Again, I am not convinced it is of such a substantive nature that we should eliminate consideration of a permanent voters' list.

I think what we ought to be doing today is not proceeding with this legislation, but having the ministry go back to square one and look at a permanent electoral list.

That would involve all levels of government. It would involve working out which level of government was going to be responsible for the maintenance of that list and, presumably, making some arrangements with that level of



government that it would be compensated for doing the work for the other levels of government, if that is what it came down to.

We have a government that is prepared to devolve to the municipalities responsibility for life in this province, as demonstrated through the Sunday working issue. Presumably they could also devolve to municipalities, with some support, responsibility for maintaining permanent electoral rolls. That could only come after extensive discussion and negotiations with the municipalities. It certainly could not be done in time for the 1988 municipal elections.

The timing is also a problem in that, as I read the legislation, the information to householders as to whether they are on the list is probably going to be going out over the summer months. Again, the Johnston-Parisien committee pointed out that was the worst possible time to be conducting any kind of enumeration. It represents the peak vacation period and approximately one-third of the transfers of residential property occur in June, July and August. This mobility would lead to an anticipated level of inaccuracy in the preliminary list of electors resulting from summer enumeration. I would submit that it will also contribute to a very great level of inaccuracy or nonresponse in the enumeration that is called for, for filling in the gaps in the legislation as we now have it.

The primary problem with the legislation which is proposed and with the system we have had is a lack of clarity as to who is responsible for putting people on the electoral list. We have always had a divided responsibility. We have assumed, as governments at all levels, responsibility for collecting the names and establishing a voters' list. Yet we have assigned to the voter a certain element of responsibility, in that they have to find out whether they are on and then take some steps to get themselves on.

I think that divided responsibility has contributed to the woes we have experienced with our present system and will experience with this system. Surely it is time to assign to the voters of this province, clearly, the responsibility for making sure they are on the electoral lists. We do it when we change our place of residence. We change our address, we change our drivers' licences, we change our credit cards. Is it too much to expect that we not begin to take to ourselves the responsibility for making sure we are on the voters' list?

Let us devise a system whereby the means of doing that is very clear, the responsibility for doing it is very clear; a system which points out to

everyone at some specific time annually whether they are on the list and what they have to do to get themselves on that list.

Until we begin to do that, we will not have the kind of clarity and simplicity in our electoral list that I think we need, and that is an essential ingredient of making elections in this province not only fairer but clearer and less prone to the incredible problems that have been given rise to in the past by our outdated and inefficient system.

**Mr. Villeneuve:** I rise today to participate in the debate on Bill 77, which will effectively change the municipal election statute law. I find it rather sad that we are dealing with this particular amendment to the act at the 11th hour, and even beyond the 11th hour. May 1 has been aimed for as the trigger date, the date on which forms will be sent out to the electorate so that they can complete these forms. Then a rather intricate process of enumeration will begin.

I think this government, for whatever reasons, has seen fit to postpone this particular legislation to so late so that it would then be law to rule over the municipal elections that will be happening this fall. I realize that, particularly in the area I represent with a fairly large number of French-speaking people in the electorate, in order to establish and elect French-speaking trustees to the different school boards, a new mechanism has to be in place. However, again, it is rather sad that it is brought down to the 11th hour.

As my colleague the member for Sudbury East mentioned a moment ago, she was able to receive the form itself only today. Quite obviously, in its haste, this government is very ill prepared to proceed with Bill 77.

In the riding I represent there are 23 very rural municipalities, Mr. Speaker, very similar to the riding that you represent. In these rural ridings, as May 1 comes along, I think we all know what happens to those who are involved with agriculture. What happens at the mailbox is sometimes and very often left for a rainy day, which sometimes never comes. I can tell the members that some of these application forms that will be received by some of our rural people in the riding of Stormont, Dundas and Glengarry, and east Grenville, will probably find their way into the wastepaper basket. I feel rather sad about that because this will not make Bill 77 work in the way it was intended to work.

I believe that the Association of Municipalities of Ontario has accepted the fact that a new method of enumeration must be put into place. However, I think they would be quite prepared to



accept some period of time beyond the next municipal elections, and I would certainly be one to favour a permanent voters list. We have a very mobile society now, whether it is in the urban parts or the rural parts of Ontario, particularly in that area that you and I, Mr. Speaker, represent along the Ontario-Quebec border. We have many comings and goings of people who may not even reside in the municipality in question but who however are land owners. They may own waterfront property along the Ottawa River or along the St. Lawrence River, and these people, again, will probably be overlooked in this mail-out to the last known address.

Enumeration by questionnaire always makes one wonder, and I guess we will never have a perfect method of establishing exactly who lives where and when. However, whenever you leave it up to the people themselves to complete questionnaires, there is always a great deal of apprehension. As a matter of fact, any time you deal with government agencies—I could quote Revenue Canada as one—everyone is deadly scared that anything they would put down pertaining to religion, their particular language, would make them just a little bit concerned.

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I have concern about this legislation. Traditionally, enumeration has never been an exact science. What I am afraid of and what has been alluded to by some of the previous speakers is that this will be an even less exact science under the amendments as made in Bill 77.

The election of French-speaking trustees, I believe, is most important because of changes in legislation in a number of other bills that will be presented to this Legislature in the not too distant future.

Yes, we must find a better way to enumerate, for electoral purposes, the people who reside in this great province. However, Bill 77, in my opinion, does not satisfy the criteria I believe should be encompassed whenever setting up standards for a new enumeration method.

The identification process, because voter identification under the new system will take place in the spring rather than in the fall, leaves me also wondering. Springtime is when many people do change residence. May, June, July and August are the most mobile months for the Ontario population. I feel that having the questionnaire presented to the electorate at the beginning of summer, and at a rather inopportune time for those who are involved in agriculture, would render that process even less accurate.

I realize that some major changes must occur, and I would certainly encourage this government to look at a permanent electoral list. However, I do not believe that Bill 77 is the right vehicle to do this. As I mentioned, we have 23 municipalities, the largest of which—I see the House leader here and he has some relatives out in Glengarry county—is the great little community of Alexandria, my metropolis, with some 3,300 population. We have another great little town called Kemptville with 2,600 population, down to a very small, one-poll town, the town of Finch, with less than 500 population. We have many rural municipalities which are in the 2,500 to 3,500 range, with many rural routes throughout.

**Mr. Wiseman:** Like the member for Renfrew North (Mr. Conway) has, and the member for Lanark-Renfrew.

**Mr. Villeneuve:** That is right. The member for Renfrew North certainly has many rural routes in his riding.

**Mr. Wiseman:** He agrees with you. He is shaking his head yes.

**Mr. Villeneuve:** We go back to what this government intends to bring in in the not too distant future, the local option on Sunday shopping. We were told by the Solicitor General (Mrs. Smith) that a great deal of thought had gone into this but, indeed, on the same day the Solicitor General made the statement that the local option would prevail, she was not even aware that many municipalities in northern Ontario are unorganized. The Solicitor General did not know how that would be handled in municipalities which do not have elected officials.

I wonder if this is the kind of thought that went into the preparation of Bill 77. Quite obviously, a little more thought went into Bill 77 than the announcement that was made by the Solicitor General pertaining to local option on Sunday shopping. However, when one knows the background and the lack of research that went into that particular declaration by the Solicitor General, one has to question and one has to wonder.

Public information campaign: we, the elected officials, were only able to obtain the questionnaire today. How will that work, to inform the public who will be completing these questionnaires, completing them shortly after May 1 the trigger date, at the 11th hour and beyond the 11th hour in preparation for fall municipal elections?

In conclusion, I suggest very strongly that the House leader and indeed the government reconsider their position on Bill 77, put it on hold, give it more thought and bring it forth to this



Legislature at some time when we are not at the 11th hour.

**Mr. McCague:** The honourable member brought to my attention a question I might ask the parliamentary assistant to answer later. I am not sure what is going to draw a home owner's or a taxpayer's attention to the importance of the letter that he is receiving from the government. Any members who have the opportunity to go into post offices will know what happens with a lot of the mail that arrives there. Many of my constituents do, unfortunately, leave things piled in the federal government's post office. Some of them are taken home and left in the hands of the local waste management committee. Others are used to prop up the telephone or to put your morning coffee cup on, and you spill something and that is the end of that. That may sound a little facetious, but it really is not.

Any members who have been here as members of the Legislature for a while, or maybe have been here just a short time, will know that very often when an official plan amendment is circulated by a municipality or a zoning bylaw amendment, a year or two later members get calls from many taxpayers wondering what happened: "You never notified me. What is the matter with the system?" The government is going to have a lot of problems with this that I am not sure it understands at the present time. I do not know of any other system like it on which the government could base the kinds of hopes that it has for the success of it.

**Mr. Villeneuve:** I want to thank my colleague; and yes, I have to agree with him. That is why I brought the situation to the attention of the parliamentary assistant in the absence of the minister. My riding office is almost directly across from the local post office. Many people go to the mail, and anything that is—I should not say that does not look important but we find many items of routine mail stacked in a garbage container.

**Mr. McCague:** Liberal newsletters.

**Mr. Villeneuve:** There may be some of those—not too many in my riding, but in some ridings throughout the province—that do wind up in the wastepaper basket. I think it is imperative that the parliamentary assistant and the minister add some particular importance to the letter they will be sending so that the householder does not simply take it as a little more mail that really goes to file 13.

**The Deputy Speaker:** Thank you. Any more members who wish to participate in the debate?

**M. R. F. Johnston:** Merci, Monsieur le Président.

**L'hon. M. Fontaine:** En français.

**M. R. F. Johnston:** Oui, je peux essayer, mais il est difficile pour moi, comme étudiant, de faire tout un discours en français. Peut-être que c'est le même problème pour vous, je ne sais pas.

I did want to say a few words while the step-dancer from Pembroke was here, but—oh, there he is. He has come over to our side now. Welcome, Mr. House leader. Perhaps he has not been reading the Pembroke papers lately, but there are some very interesting editorials these days about the government House leader, which I will allude to as I go through my speech because these things are all tied in with enumeration, as I am sure he is aware.

I was hoping that at least one of the ministers who has been involved in the perpetration of this colossal legislative mess we have now, in terms of municipal reform, might be here in the House and not leave a novice parliamentary assistant to have to handle the burden of my unleashed wrath, which I will now have to temper because it is unfair, of course, to attack a new member in a way I would normally tear strips off a minister.

I have been here only nine years now in this House. I was first involved in enumeration questions around francophone enumeration in 1980, when I had to deal with the member for Simcoe West, who I see is here in the House, and Dr. Bette Stephenson at that time, as we started the whole history of incredible mistakes around the enumeration policy involving our franco-phone population.

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But I have never seen, and I never expected to see from a Liberal reform government, the kind of chaos that has been perpetrated on us in terms of municipal reform in Ontario. We have several pieces of legislation before us, some not yet before us, all dealing with this fall's election in Ontario.

We have Bill 76. We have Bill 77, which I am, of course, speaking to at the moment, Mr. Speaker. We have Bill 100. We have Bill 106, just brought in yesterday, to deal with the whole question of financing of local elections, giving us lots of lead time for the coming election. We are still waiting to see what the similar legislation for Metro Toronto is going to look like whenever it happens to be brought into this Legislature.

There have been several recommendations made by task forces to this government. This government, of course, has been superb at appointing task forces. It has probably done that



better than any government before it. Those people who have picked up the per diems on those task forces are very happy that they did that, I am sure. Some of them who have actually seen a few of their recommendations implemented must have been happy about that as well.

But I do find it strange that the recommendations that have been brought forward on this matter in terms of local government elections, dated February 1987—that was the final report from that committee—have been ignored. The committee that dealt with how we would bring about representation by population in school boards has had their basic recommendations thoroughly ignored.

The basic recommendation was that you do not rush this change; you do not bring it in during an election year and cause all sorts of confusion among the electorate. You bring it in with lots of lead time. You do not bring it in with the step-dancing House leader asking us to get this through in one day because he has a time-line problem. You take a lot of time to make sure all the bugs are ironed out of municipal reform legislation and you maybe even bring it in, both reports suggest, with pilot projects to see how it works before you try to impose this kind of major change on a province which already suffers from a great deal of confusion during municipal elections.

I do not have to tell the parliamentary assistant what it is like for electors to look at the ballot, let alone anything else, in terms of the information that they get around various candidates during an election. The last one I saw in Scarborough, in my riding, must have been at least a yard long with all the representatives who were seeking election to various kinds of posts, and you could have piled the election material higher than my average junk mail in Metropolitan Toronto. The confusion that lies around the whole process of municipal election is enormous.

To add now a whole new approach to enumeration—which I think has some serious problems with it which the member for Etobicoke-Lakeshore (Mrs. Grier) was referring to—to add whole new concepts on how we will elect our boards of education, to try to bring in a new enumeration system during a year when, for the first time, we are actually going to have French-language boards of education in areas of this province where we have never had them before, where the problems of trying to work in joint board operations in places like Ottawa-Carleton are proving to be very problematic, is, in my mind, folly.

I do not understand why the government has proceeded in this fashion, instead of bringing forward this legislation, taking sufficient time for proper consultation with all the groups that are involved out there and heeding the recommendations from the task forces that they paid for with taxpayers' dollars—presumably wanting to listen to it—so that we had time to watch this develop and so that this fall's elections were not thrown into chaos because of potential gerrymandering under one piece of legislation or insufficient and inappropriate enumeration under another piece of legislation, which I am speaking to at the moment, which is Bill 77. I find it difficult to understand why we are doing this.

As my friend the member for Cambridge (Mr. Farnan) will know, one tries not to impute motive—because it is not allowed, number one; but; number two, it is an unseemly kind of thing to put your mind to, always to be thinking that there might possibly be some kind of machiavelian interest on the part of a ruling government party in this kind of process, so I will not even think about that. I just have to think that perhaps this has been done in an attempt to seem to be reformist, thinking that it was going to be easier than it was going to be and then discovering that, in point of fact, complication upon complication was compounding and, therefore, the government just had to keep bringing in new pieces of legislation.

Let me remind members about how this process started. The government brought in an announcement about reform in Metropolitan Toronto in terms of the direct election of a chairman. This is how this all began last fall. This was how the snowball began to develop, rolling down the hill. I would suggest it eventually is going to run over the whole electoral process before it is finished and make a total mishmash of things this fall.

From that point on, the government then decided that this would require a redistribution in Metropolitan Toronto, and it came forward with a new approach to developing electoral boundaries which has caused us amazing problems in Metropolitan Toronto in terms of the attempts to gerrymander that have been seen at the local level.

That, unfortunately, was brought in without any consultation with the school boards. The government then had to quickly run off and draft up some new legislation which they thought would fit the school boards. This is Bill 76. I am not speaking to that at this point, I am speaking to



Bill 77 of course, but they are all a package and that is why these have to be interrelated.

Now we have discovered, as of just Monday, that the government recognizes all the problems that we and the school board associations across the province spoke to with Bill 76 and the way representation by population is being imposed against the advice of the task force which this government set up to suggest how representation by population could be brought in for school boards. All those problems we had identified were, in fact, there and real, and now the government has brought in, I think, around 30 pages of amendments to Bill 76.

Sorry; the step-dancer wishes to speak? No, just gesticulate. I am sorry. I thought the House leader wanted to speak, but it was just a hand gesture, which will go undefined because the camera is on me and not on him.

So we then had to catch up with the problems that were based on Bill 76. Now we have also discovered, of course, that all those kinds of changes in representation by population cannot apply to Metropolitan Toronto, because they cause even more problems. So we are now waiting this week or next week, or goodness knows when, for one of the ministers involved, the Minister of Education or the Minister of Municipal Affairs, to come forward with a new piece of legislation that will affect the school boards in Metropolitan Toronto as a particular piece of legislation.

I just say that I have never seen such a strange approach to municipal reform in my life. What I do not understand is that when the government started to see it was going to be this complicated and when it had basic recommendations from, for instance this particular group, the Advisory Committee on Municipal Elections—which, on page 2.45 of its report, says, “The recommendations that no changes be permitted close to the date of elections received an exceptionally high level of support”—from this group, which says the government should not be moving before an election on these matters, the government ignores that and decides to forge ahead anyway, hoping that this last little rush of amendments on all these various bills, brought in at the very last minute under pressure from the government House leader that we get this thing through in a day, for instance, as quickly as we possibly can, because without it goodness knows what will happen and the cataclysmic events that will follow.

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Given that the minister knew that was happening, why did he not just withdraw this stuff or put it out there for public input and let people have their say about what they would like to see happen in terms of municipal reform? The idea that they might have something of worth to say to us might be something that this open Liberal reform government might normally have wanted to try to bring into the process. Instead, it seems to be reverting to the process that Bill Davis had around Bill 30; that is, “Ram the thing through and we will talk to the people afterwards.” Having chaired the committee that had to talk to the people afterwards, I know just how difficult that was when we had to do it after the fact. Of course, I am speaking to Bill 77 here.

**Mr. Lupusella:** You don’t believe in regional autonomy.

**Mr. R. F. Johnston:** Excuse me. I think the member for Dovercourt had something to say about housing.

**The Deputy Speaker:** I presume you have finished with your speech.

**Mr. Lupusella:** If the honourable member and his party do not believe in regional autonomy, how can they accuse us of not believing in that particular process? Take a look at the issue of Sunday shopping. We want to give power to the municipalities to make a decision and members opposite do not want it.

**The Deputy Speaker:** I am sorry, the member for Dovercourt is out of order. Would the member for Scarborough West please continue.

**Mr. R. F. Johnston:** I am sorry, Mr. Speaker. I thought it was a point of order about housing problems in Etobicoke. I was not sure, but I thought we should hear it just in case there was a new initiative with the Ministry of Housing that the member was putting forward. I am speaking to Bill 77, of course, and talking about housing has nothing to do with the matter at hand.

Why is it that an open government decides that something as important as the democratic process at the municipal level, which we supposedly want to enhance through this package of reforms, should not be something which goes out to the public for discussion, has a long period of gestation out there—perhaps even, as the government’s reports recommend, the odd pilot project to try things out—and then becomes legislation after the fact? Why is it that, instead, this government has brought the House back on April 5—a date which went by unnoticed by any member here, and I was a little hurt that the member for Oshawa or others did not bring to the



attention of the chair and others the fact that that was my ninth anniversary elected in the Legislature. I think it was just a small oversight. He had a few other things on his mind, because normally, as our procedural expert, he would have leapt to his feet and brought that to members' attention. But, of course, I am speaking to Bill 77 and not to my anniversary.

**Mr. Breagh:** Could I leap to my feet now and bring it to their attention?

**Mr. R. F. Johnston:** That is probably a good idea. Do you remember where I was, Mr. Speaker?

**The Deputy Speaker:** No, but I wish you would remember.

**Mr. R. F. Johnston:** I know what it was. I was going to speak to the question of this rush on Bill 77, because that, of course, is what I am concentrating on this afternoon.

**The Deputy Speaker:** Or trying to.

**Mr. R. F. Johnston:** That is what I am trying to keep myself focused on.

The thing I note is that the government, which called us back on my birthday—that is what I like about this place; there was a sort of rebirth for Richard Johnston the day he was elected to the Legislature; it determined to call us back on that historic anniversary, perhaps for that reason, although there was no celebration—did not call us back earlier than that to deal with important business such as perhaps the passage of Bill 77, which is so important to this government, a bill which has as part of its mandate the beginning of the enumeration process, the mailing of enumeration forms on May 1 of this year, less than a month from the date of the recall of the House and which is expecting electors in Ontario to respond by May 12.

Is it not a little strange in terms of the ordering of business in this place, with all the powers of the 94-seat majority, that a government that has legislation tumbling forward, causing problem after problem and causing other legislation to be promulgated because of the mistakes made and the deficiencies in the other pieces of legislation, has a piece of legislation of which it knew months ago that, to be brought in in any kind of orderly fashion, should have been brought in at least several weeks ago so this process could be established. Instead, it calls the House back on April 5, and then the step-dancer from Pembroke, sometimes known as the House leader—there he is again—keeps popping forward, hands close to his sides and feet nimbly moving, as step-dancers do, as you will be aware from your

part of the province, Mr. Speaker. All of a sudden, we are to pass this thing immediately, because if we do not, there is going to be electoral chaos out there.

I ask the parliamentary assistant, who is causing the electoral chaos?

**Mr. Lupusella:** The New Democratic Party.

**Mr. Pouliot:** The member for Dovercourt should know.

**Mr. R. F. Johnston:** I suggest it is not this party which is asking to have one day to discuss something which has been so botched over the last nine years that I have been around this place; that is, the enumeration of municipal electors. It is not this party, the official opposition, or the third party, which, with all its faults in terms of the way it dealt with enumeration over the years, perhaps is seeing the light and wishes now to talk about ways this could be improved. It is the government, which is so confused about what it wants around municipal reform that it was not even able to call us back a week or two weeks earlier to deal with this matter so that the proper kind of announcements, TV support of this information, development of French support to this letter and information out to the multicultural communities of this province could be developed in a proper way so that people would not just be totally confused when they get this thing in the mail.

**Mr. Cousens:** What's that?

**Mr. R. F. Johnston:** The member for Markham will be pleased to know this is actually the form that people will now be asked to fill out. How many members in the House have one of these? I would suggest that very few of the members have actually seen one.

**Mr. Cousens:** How many have you got printed?

**Mr. R. F. Johnston:** As always, the member for Carleton (Mr. Sterling) has one, because he is usually on top of this sort of thing. But I suggest to members that perhaps even the parliamentary assistant does not have one on his desk at this point. Perhaps he would wave it to me if he has one. No, I did not think so.

This is a document which starts off a whole new enumeration process, something which the people of this province have never seen before, and members of this House, before a debate on this matter, were not provided with it. The people of Ontario have had no chance to look at it and see if it meets the needs of their various communities, and it has to be out and in their hands by May 1 in some kind of explicable way

that they can fill this thing in so that the first part of the enumeration process can be undertaken.

I suggest that the government has had some representations about what this form should say and has chosen to ignore some of the complaints from francophone communities and individual boards, especially in eastern Ontario, about this form. It may not seem like a large matter, but I would like to take members back to the days when I was pushing Dr. Stephenson, the member for Simcoe West (Mr. McCague) and others to try to bring in a new form of recensement pour nos collègues franco-ontariens.

Every time, there was a problem with the way the thing was written. Every time, the language that was being used in the attempted door-to-door canvass enumeration that was being done was inappropriate. In places like Metropolitan Toronto, about one tenth of the known census francophones were identified. It was a dismal failure. We developed, as a result of those eruptions in the House and the concerns by l'Association canadienne-française de l'Ontario and other organizations, a major discussion about what the language should be. I am really disappointed to see that still, in 1988, in the huge rush to get ourselves a new kind of enumeration as part of this overall election reform that the government has gotten itself involved with, it has not listened to all the groups of Ontario in terms of who might be left out of this who is a bona fide francophone.

1650

I know the member for Sudbury East has talked about this and I want to reinforce it. It is no longer appropriate in this province, where we now have some substantial francophone immigration, for us to consider old definitions of who is a francophone. If someone is coming to this country from Egypt and his first language is not English and it is not French, but his second language is French, not English, he should be able to declare himself a francophone elector. He cannot do that at the present time unless he meets the criterion of having a child in the system at the moment, and not in an immersion system but in the francophone school system. That is very important to remember.

If you are from West Africa or Morocco or Algeria, you are very likely to be in the same position. If you are from Vietnam, you are likely to be in the same position. Whether you are in Toronto or Ottawa, where the board has pointed out this problem to the government, it is a real disenfranchisement which was not necessary if

we had taken our time about this electoral reform process.

I do not know how many thousands of people might be involved in that. I do not have the numbers from the 1986 census, for instance, which may tell us how many people in Ontario have French as their second language but not English as their first language, but I would suggest it is an affront to those groups that they are not automatically going to be capable of being enumerated on this list.

I do not know why it is that we feel that, again, we have to proceed with another flawed enumeration, disenfranchising people who would wish to see themselves as francophone electors—especially now, because it is not just a matter of wanting to have a say with your French-language education council, for instance. It is now being able in some communities to be saying: "I'm going to be voting for a board. I'm going to support a francophone board, not just an advisory committee any more." Real power has been given to francophones in the democratic process, and yet in the enumeration we are cutting out a community that cannot participate.

There is no way that this can be amended now. How can this possibly be amended when, on this very appendix that is being attached to it, we learn that all of this has to be done by May 12? This has to be mailed back by May 12. How on earth can this be amended now? It cannot be.

So what are we saying? To meet some arbitrary deadline which this government has established, against the advice of its own committees, the task forces which it has established, we are now going to disenfranchise this group and, as the beginning of a process of electoral reform, are perhaps going to unleash a whole mishmash of problems on the municipal scene this fall in terms of people understanding what their rights are, who they can vote for and that kind of thing.

I just say to the government that it is not the opposition's fault that it is caught in this kind of position. It is their planning problem. It is their lack of desire to take this out to the public and talk about this package of reforms as a package with the public and then refine their legislation and bring it in slowly and in a sensible fashion that is causing the problems.

If there is chaos this September and October as the campaigns get started and as the election day draws near, I would suggest that will fall on their heads. What started off as a symbolic, small gesture of Liberal reform, the direct election of the Metro chairman, will now have caused a



whole series of problems all down the line which I think could have been avoided.

Just to speak a little bit to the process itself, the member for Etobicoke-Lakeshore (Mrs. Grier) has talked about the idea of mixing who is responsible or not responsible for getting on the voters' list. This piece of legislation, although it allows people more opportunities to participate than the old, single door-to-door canvass used to, mixes responsibilities in terms of who is to get himself on an enumeration list or who is responsible for making sure somebody gets on a voters' list. I think that is a fundamental error.

I wonder, and I hope the member from Brantford will speak to this in his remarks later, why it is that the government did not decide to accept what is recommended on page 2.13 of this report, recommendation 19, that "the ministries of Municipal Affairs and Revenue, in co-operation with the chief election officer of Ontario, study the concept of a permanent voters' list." I wonder why it is we did not do that this year instead of changing the system in such a rush and causing the kind of confusion I think is going to be out there. I am wondering if there can be some logical explanation.

Anybody who has looked at this scene for a long time, as I know the member for Brantford certainly has, will know that this is a stopgap measure. Bill 77 is not something that will be in place 25 years from now. The election enumeration law most certainly will have changed to be sure that it is more representative than this, that fewer people are missed.

**Mr. D. S. Cooke:** Why the optimism?

**Mr. R. F. Johnston:** Why the optimism? Because I am sure that within 25 years the member for Windsor-Riverside (Mr. D. S. Cooke) will be Premier of Ontario. That is why I know he would make sure this would be one of his first steps with his Minister of Revenue. But the major reason I suggest this is because this is a problematic piece of legislation because it mixes responsibilities and because it avoids the essential reform that is required.

**Mr. Cousens:** The member is changing my vote on this.

**Mr. R. F. Johnston:** I hope so. I always get nervous when the member for Markham votes the same way as I do. If there is anything more I can say to get him over to the other side—and I see him crossing the floor now, symbolically—I will be happy to do it, speaking always to Bill 77, Mr. Speaker, as you know.

**Mr. Fleet:** The member for Scarborough West is getting more right-wing in his old age.

**Mr. R. F. Johnston:** The member for High Park-Swansea arrives now to tell me that it is right-wing to think of a permanent voters' list, to think of having a proper, permanent reform. This is an interesting concept coming from a Liberal. A Liberal? I look for help from the member for Muskoka-Georgian Bay (Mr. Black). I have never been sure about the member for High Park-Swansea. There is such an interesting history of representation from that area that I would not want to presume somebody's ideological stripe.

I was, of course, speaking to Bill 77 and we have been dragged off. The reason I was saying this is because I think Bill 77 avoids the issue of proper reform, which would be a permanent voters' list, which the member for High Park-Swansea seems to think would be a very right-wing and regressive kind of notion in the province and one which I am sure he is going to speak about in the debate to make sure that the parliamentary assistant at least knows his views more particularly on it.

I know the parliamentary assistant is going to take this seriously, but why is it that we have this approach to electoral reform being taken by this government? Why did they decide, as the open, Liberal reform government, not to take a package to the people through the committee system of this Legislature over the course of several months, inviting input from all parts of the province on the incredibly complicated issues that are around, whether it is school boards in isolated, unorganized areas of Ontario or whether it is places like Metropolitan Toronto with huge multicultural communities and different linguistic groups?

1700

Why is it that instead of that, the government is putting the opposition parties in this House in a position by saying that this thing has to be pushed through within the next day or so or it falls on our heads that there will be chaos in the system? I really would like a serious answer to that in terms of why we are being put in this position and why the people of Ontario are not being given a more appropriate chance to have a say in this.

The final thing I would like to reiterate is that enumeration may seem to be a small and technical side of the whole election reform package and maybe not warrant major debate in many people's minds, but it is the fundamental building block for franchisement. If you do not make it on to a list—and in this case, with the very complicated structures we have now for how you can determine what kind of elector you are at the



municipal level, if you are inappropriately placed on a list and put into the Catholic system of education when you should be in the Protestant, or really wish to be a francophone elector and to be able to vote, for once, for the first time, for a board of your choosing—it is the vital first step and it is intrinsically tied to all the other matters the government is trying to bring forward.

I do not think that rushing the thing through today is the solution to a bad form which, again, does not meet all the needs we would have it meet, as I have indicated before, and will disenfranchise people who should be looking at electoral reform as a positive reopening of their possibilities for participation in the democratic process and in fact will be just another difficult-to-understand piece of government bureaucracy being inflicted upon them and removing from them rights which they were being led to believe would be theirs.

I urge the government to rethink how it is approaching this process, to slow down and make sure we do this properly, dot the i's and cross the t's, and not lead us down the road to chaos this fall.

**Mr. McCague:** On a point of order, Mr. Speaker: Earlier in the afternoon, it was indicated by the House leader for the government that the minister would be here momentarily, I think it was. I am sure I could persuade the member for Markham to leave the minister's seat if he is going to return momentarily.

**The Deputy Speaker:** That is not a point of order, but thank you.

**Hon. Mr. Conway:** I want my friend the member for Simcoe West to know that I was just inquiring after the whereabouts of the minister, who is meeting with a delegation. I expect he will be here very shortly. I appreciate what the member has said. These are the kinds of things a government House leader has to adjust when he tries to accommodate such things as emergency debates. But I appreciate the point the member from Simcoe West makes and will make every effort to have the minister here.

**Mr. McCague:** The member for Scarborough West raised the point of the difficulty he had in persuading previous members of the government to come up with an enumeration form that was suitable for the purposes for which it, in his opinion and that of others, was intended. One of the pressure points on this legislation we have before us is, in fact, the desire for a better identification system for French-language electors.

I asked the parliamentary assistant this before, but I will ask him this time in a slightly different context. I would like to know, and I am sure my party would, just what might be done to accommodate what I agree is a pressing need on behalf of certain groups within Ontario but at the same time may well be to the disadvantage of a whole other group. I am sure the member for Scarborough West would be as interested as I am in knowing, should the legislation not proceed, what would the government then do to accommodate that very urgent concern.

**Mr. Fleet:** I would not want to disappoint the member for Scarborough West, given only two minutes to reply to all of his various comments. My gibe to him with respect to being right-wing was perhaps taken a little too literally.

I would like to point out that my understanding about the cost of a permanent voters' list, based on what I remember reading in a report from the federal chief electoral officer some years ago, was that although it was heavily considered by that office it was found to be far more expensive.

I believe it was the member for Oshawa, speaking earlier, who said there is a turnover of 50 per cent in some of his buildings. The cost of doing it is probably prohibitive, in my view, unless you had a co-ordination at all levels of government—municipal, provincial and federal—so that you could cut the cost down. I do not intend to speak in respect of the government's position, but my understanding is that would be very difficult as a practical matter.

I suspect that, given the attempt by this government to try to introduce reform in a difficult matter with, admittedly, some time lines involved, it does not mean that we should back away because there are going to be some criticisms coming from the honourable members opposite. Anything we do in this respect which is going to be involving reform is going to have some steps which are experimental in a sense, which we are trying to make sure work out.

I might also add that the bottom line is that the current system does not work well enough. We are trying something that will be better. With the help of the members opposite, I am sure we will be able to respond to any perceived inadequacies between now and the election.

**Mr. Morin-Strom:** I want to compliment my colleague the member for Scarborough West on the very valid points he has made on this important piece of legislation. There certainly is no more important issue when it comes to democracy than ensuring that everyone has the right to vote and is properly enumerated and will



have that right to utilize what is one of the most important elements of our parliamentary system and, in this case, with respect to municipal elections.

I think it is quite unfortunate that while we are having a debate on an issue that one would imagine should be the top priority for the Minister of Municipal Affairs, the minister responsible for this issue, he does not have the time to be in the Legislature to listen to the important comments being made by other members of this body.

I think the government should be looking at what its priorities really are, addressing them in this Legislature and ensuring that the people who are responsible for the pieces of legislation we are going to deal with in this session of parliament are available.

This was the number one item the government wanted to address in terms of bills, in terms of its priority list. Here we are on the second day of the Legislature and the minister who is responsible does not have the time to come in to hear the comments on this bill and to be able to react to opposition members such as my colleague the member for Scarborough West. I would hope that the minister will show greater respect for this body in the successive days on this bill.

**Mr. R. F. Johnston:** I will take the opportunity to respond, Mr. Speaker, and to thank the member for Simcoe West for his comments. I think there are solutions to the question of more adequate French enumeration. I would hope, whether or not this legislation goes through, that we would have a more adequate enumeration than is suggested on this form, that these forms should all be adjusted and that the time lines, if necessary, should all be changed. There have been a number of models developed that I think could be followed to make that happen.

The member for High Park-Swansea is tasting the joys of the front row over there at this point, perhaps for the one and only time, and I hope he enjoys himself there. I would just suggest to him that it may indeed be an expensive matter to have a permanent voters' list. It is also incredibly expensive in two ways to continually do enumerations for each election, whether it is federal, municipal or provincial. There is a financial cost and there is also a major cost in terms of those people who are left off on a continual basis.

If other nations and other jurisdictions have been able to institute this kind of system with a much greater accuracy rate than we have in our present systems of enumeration, and I would suggest with this one as well, then it is certainly

something that a wealthy province such as Ontario could undertake in order to make sure its electorate is properly represented.

I would like to thank the member for Sault Ste. Marie (Mr. Morin-Strom) for his kind words which I can use in my riding report.

**1710**

**Hon. Mr. Conway:** If I might, before the member for Carleton (Mr. Sterling), I just want to indicate to the House that it may be difficult. I understand that the minister is not now going to be able to join us. I do not want to—

**Mr. R. F. Johnston:** Let's go home to dinner.

**Hon. Mr. Conway:** The very competent parliamentary assistant is here. I know that the member for Markham will be disappointed, but this debate is going to carry on. I just wanted to report that.

**Mr. R. F. Johnston:** On a point of order, Mr. Speaker: I wonder if the step-dancing House leader could tell us whether the minister will be available tomorrow. I am sure we all are, and we would be happy to be here when he could be here tomorrow.

**Hon. Mr. Conway:** I fully expect that the minister will be here tomorrow but I expect this debate will continue this afternoon and into tomorrow.

**Mr. Sterling:** I will try not to repeat much of what has been said prior to my standing and speaking on Bill 77, but it is absolutely amazing to me, in talking to many of the clerks of the various municipalities I represent in eastern Ontario, that this piece of legislation was not brought forward in the fall session. I find it inexcusable that we have not had time for this to be put in place and implemented at an earlier date.

Second, with regard to this piece of legislation, there are some serious problems, particularly in the Ottawa-Carleton area, which I will allude to. I think one of the points brought forward by previous speakers in this debate should be re-emphasized and I will do that very shortly; that is, enumeration of people who are eligible to vote in an election is not only a problem in the municipal arena but I feel it is also a problem in the provincial arena, as we found out last September 10.

Therefore, the suggestions of members such as the member for Etobicoke-Lakeshore of the New Democratic Party I think should be taken seriously by this government. There should be a permanent voters' list that can be used in a municipal election, in a school board election, in

a provincial election or in a federal election. That particular list should be an updated list, and with today's computer technology that should not pose too great a problem.

I want to speak about Bill 77 and the effects it is expected to have on the formation of a French-language board in the Ottawa-Carleton area. I want to thank in particular Hal Hansen, chairman of the Carleton Board of Education, who has written to the Minister of Education, to the minister responsible for francophone affairs and to the Minister of Municipal Affairs with his concerns over this bill as it will affect the new francophone board. We were expecting to see that legislation yesterday, we were expecting to see it today and we hope we will see it in the not-too-far-distant future if we want trustees elected to a French-language board for this coming November.

I understand that Mr. Hansen has not received a response to his concerns. Today I forwarded his concerns to the Minister of Citizenship (Mr. Phillips) because I thought he should take an active role in this issue. The Minister of Citizenship tends to be involved in issues of more show and splash, rather than getting down to the nuts and bolts of protecting new Canadians by providing them with equal opportunity in our province.

The problem lies in the definition of what a francophone ratepayer shall be. I will read the paragraph which Mr. Hansen brings to our attention:

"We would like to highlight our concerns with regard to the rights of French-speaking persons to identify themselves as eligible to vote for French-language trustees on school boards. The enumeration form, which was attached, identifies three questions to which a person must answer yes at least once to have the right to vote for French-language trustees. Unfortunately, these questions exclude a large group of new Canadians who use French on a continuous basis and who consider themselves as active members of the francophone community. Since their first language learned may be neither French nor English, since their elementary education was not received in Canada and since they do not have school-age children in the French-language instruction unit, they must answer no to all of the questions and must thus vote for anglophone trustees. This situation takes on greater urgency in our area, Ottawa-Carleton, since these new electors will be excluded as ratepayers of the proposed new French board, thus reducing the

potential tax base of the new French-language board."

That is written by another board which will suffer at the loss of assessment from the new French-language board, and so I take very seriously the objection by Mr. Hansen and by the Carleton Board of Education. We have not heard—

**Mr. Morin-Strom:** On a point of order, Madam Speaker: Can you tell us if we have a quorum in the Legislature today?

The Acting Speaker (Miss Roberts) ordered the bells rung.

1718

**The Acting Speaker:** A quorum is present. The member for Carleton, if you wish to resume.

**Mr. Sterling:** Thank you very much, Madam Speaker. I think this is the first time we have had a quorum all afternoon. I have seen very few members in the Legislature dealing with this particular bill.

At anyrate, as I was saying, I think the Minister of Citizenship should be putting forth proposals to help and assist the Minister of Municipal Affairs in order to allow new Canadians, people coming to Ontario who identify more with the francophone community than they do with the anglophone community, the option of having the right to be considered ratepayers within the francophone community.

I do not think this would be a threat to the French-language board, and the reasoning behind the existing definition of a person who can enrol in it, as identified in this particular questionnaire, is perhaps not needed. I think another definition can be put forward and I look forward to a positive response from the parliamentary assistant or the minister, because he has had notice of this objection since the second week of March.

I would also expect that the Minister of Citizenship should be involved in trying to address this lack of opportunity on the part of new Canadians coming particularly to the Ottawa-Carleton area, because this is where the only French-language board will exist.

The other matter I would like to relate to is the number of changes that are occurring in the Ottawa-Carleton area over this year dealing with education, dealing with municipal government and dealing with the whole bag of government relations.

In Ottawa-Carleton, the Minister of Municipal Affairs last November appointed a former mayor of the township of Rideau, David Bartlett, to prepare a report on the structure of regional



government in Ottawa-Carleton and recommend changes to that particular government. Mr. Bartlett worked extremely quickly and was able to produce a report that came down, I believe, in February. Now we have the Bartlett report on the table; it has been made public, and people are talking about the changing of regional government and how the regional chairman shall be elected or shall not be elected.

We have had in the regional municipality of Ottawa-Carleton an appeal to the Ontario Municipal Board dealing with apportionment of education taxes. The apportionment between various municipalities to pay their levies to the various school boards is confusing as well, and the burden has shifted substantially from, for instance, the city of Nepean to the smaller townships like Osgoode and West Carleton, both of which I represent.

We have legislation coming up under Bill 76. If it is not changed during debate or by amendments that were put forward yesterday—and I have not had the opportunity to look at them—it may change the trustee representation significantly in the growing Carleton Board of Education.

We have an indication by this government that it is going to delegate the whole can of worms dealing with Sunday shopping to the municipalities. There may be plebiscites that will take place this fall in some of the municipalities dealing with that issue.

We have a new francophone board being created, if we ever see that legislation see the light of day and if we do not see that very soon.

We have a new election expenses act for municipal politicians to deal with.

We still have the after-effects of Bill 30 occurring in the Ottawa-Carleton area as that is implemented, and the shifting of pupils from one board to the other. With the new francophone board, we will have approximately 20,000 students in Ottawa-Carleton shifting from the other four boards to the creation of yet another school board in the Ottawa-Carleton area. We will now have five different school boards in Ottawa-Carleton.

Adding on to the back of all that, we have a financial problem. We have an insensitive Liberal government cutting back on provincial transfers to the public school boards, at least the public school boards in the Ottawa-Carleton area. We have a situation in the Carleton Board of Education where we have 1,000 more students this coming year in that board, yet this government is going to give them a paycheque of

actually less money than they got this past fiscal year.

We have a situation in the Carleton Board of Education, in the Ottawa Board of Education, in fact in all of eastern Ontario, where we were given a pittance in capital funding last year to build new schools and to renovate schools. We were given \$25 million out of a total capital budget of \$300 million in the province to address our accommodation problem.

We have a whole bunch of problems to deal with. We have a parliamentary assistant to the Minister of Education who comes from the Ottawa area, who represents the riding of Ottawa-Rideau, who is telling the Ottawa area that we are a wealthy area. Now, that is a great signal for the other representatives from Ottawa-Carleton to come down here and try to get a fair shake out of a government that has treated them badly in the past.

I have listed about eight different ways that Ottawa-Carleton's municipal school board structure is changing dramatically at this juncture, and now we have the late introduction of a new enumeration system which is flawed, as pointed out by the Carleton Board of Education in a letter to the minister.

There is a lot of sympathy on our part and on my part, and we would like the government to seriously consider that perhaps at this late date it might be better to put this thing back and off the burner until we have time to assimilate and to deal with these other changes I have mentioned before.

I mentioned the member for Ottawa-Rideau (Mrs. O'Neill). One of the meetings that I went to with her dealt with parents dealing with education from the Carleton board area. Their message to us was: "We do not want any more changes in our education system. Let us take care of the problems that we have now. Let things smooth out so that the kids can start to settle down and get their education system in place and the kinks can be worked out." This may be an opportunity for this government to back away from Bill 77 at this time and carry it forward.

I do not know what the government is going to do about the French-language board. I do not know what it is going to do with regard to how to carry that forward, but that is its problem. It has to figure out an enumeration process. It has left it so darned late. I do not want to see the French-language board set aside at this time. I want it to go ahead, but I do not know how the government is going to handle putting this process in place.

As some of the other members have said, if it is fouled up, the government is to blame, and we will blame it in the end. We will stand up in this House and we will rain it down upon the government, because there is no reason that this could not have been brought forward in the fall. We would have had time to implement this properly, time to talk about it and time to amend this flawed piece of legislation so that it would take care of the number of problems that have been pointed out today.

**Mr. McCague:** There was interjected, just before the member for Carleton spoke, a comment from the House leader that, unfortunately, the minister was not going to be able to appear this afternoon. That is fine, but I want to have the parliamentary assistant ask the minister how he could have been so presumptuous as to have thought that we were going to deal with this bill and get through it yesterday. That has to be the presumption under which he was working, because he said it was the emergency debate that fouled him up.

However, we have said it is too late. It is too late for the minister to get here today. It is too late for this bill to pass. I might remind the parliamentary assistant that in many respects the election year, as it is seen by the people who run municipally and for school boards, has already started. Here they are, especially the school boards, sitting there wondering what area of their municipality they are going to represent. Like the minister who is too late, it is too late for this election.

**Mr. R. F. Johnston:** I would like to make a few comments on the comments of the member for Carleton as well, rather than commenting on the absence of the minister, which I really deplore as well. I was very pleased that the member brought the information from the Ottawa area board to the attention of the House. I had also received that correspondence from them, and that is why I raised the concerns as well about this part of our community which is being disfranchised.

I think the board, through the member, has made it very clear that to a substantial population in this province this is no answer at all and that at least we should be hearing from the government and one of its speakers in the next little while. Surely a small note can be passed to one or the other of those people who are literate on the other side—and that is the vast majority; I would not want to name names at this point—

**Mr. Lupusella:** Speak for yourself.

**Mr. R. F. Johnston:** Oh, I just heard one of the members. Perhaps he would tell us whether there is any step at all that can be taken to improve this document that is out there so that those people will not be disenfranchised.

1730

Perhaps we could just get some kind of idea from the government as to whether or not that group is not important to the Liberal Party of Canada and Ontario or whether it is a group the government thinks it can do something for before this election is brought forward. Are those immigrants whose first language is not English and whose second language is French unimportant to the government? Does it feel there is no reason at all to move on this form before this goes out or not? It would be very interesting to hear from somebody over there as to whether they think it is worth bringing these people into the electoral process.

**Mr. Morin-Strom:** I think the member for Carleton has made some valid points, again concerning the Carleton Board of Education. However, I think it is unfortunate that the Minister of Municipal Affairs is not able to be here again to respond to the comments of the opposition members. At the start of this afternoon's session, we had been promised by the House leader of the governing Liberal Party that the minister would come in before we ended this—

**Mr. Black:** On a point of order, Madam Speaker: Is the current speaker commenting on the comments of the previous speaker or is he commenting on some other piece of information?

**The Acting Speaker:** I am sure that the member for Sault Ste. Marie is getting to his comments with respect to the—

**Mr. R. F. Johnston:** On a point of order, Madam Speaker: I wonder if someone could check Hansard to see whether or not the member for Carleton actually mentioned that the minister was not here. I know the member will not be able to remember at this point, but perhaps we could check Hansard. A small break perhaps would be appropriate so we can check.

**The Acting Speaker:** I believe that the member for Sault Ste. Marie is going to continue on with respect to his comments.

**Mr. Morin-Strom:** Yes. As well, I think several members now have taken some of the two minutes allotted to me. The member for Carleton did make the point that the government obviously is not interested in this bill; it is not responding to the opposition comments.



Interjection.

**Mr. Morin-Strom:** He was not prepared to be here today when he knew that his bill was the first one to come up. It was to have started yesterday but there could be no assurance that it would be completed within one day. It obviously is not going to be completed today either. So we have the government stalling and ensuring that we do not get through with pieces of legislation which it claims that it wants to get addressed.

**The Acting Speaker:** Would any other member wish to comment upon the comments made by the member for Carleton? If not, would the member for Carleton wish to respond in two minutes?

**Mr. Sterling:** Absolutely. Now that we have a quorum, both down here and up there, I would be remiss if I did not comment.

I am absolutely amazed. Yesterday we heard the government House leader talk about the government's legislation and its agenda for action. They wanted to press forward with the government legislation. Our party was quite willing to pass this particular piece of legislation this afternoon. We would have perhaps put it into the committee of the whole House. We would have dealt with it in the committee of the whole House. We would have been on to Bill 76 tomorrow. We could have done that.

But with the parliamentary assistant here, and not the minister, we do not know what kind of amendments are acceptable to the minister at this time. We do not know whether or not we could put forward amendments and expect a fair hearing for those particular amendments, so it leaves us no option but to carry the debate on for another day.

We would really like to take forward the legislative program dealing with municipal elections, because we realize our municipalities, all 800 of them, are in trouble. If the government insists that this legislation go ahead for the November elections, we have to get on with it. Even over our objections we have to get on with it. We have an interest as well in having this legislation dealt with in a speedy manner, but we want to have some kind of hearing. With only the parliamentary assistant here, even though he is a skilled municipal politician, we do not feel we can get a fair hearing. We would like to get on, and we find it ironic that a government which has asked for speedy passage does not have its minister here.

**Mr. D. S. Cooke:** I am not going to speak at length but I want to make a few comments, not necessarily specifically about the bill, because I

do not pretend to be an expert about the bill. I want to talk a little bit about process in this place and what has happened over the last few months and over the last couple of days.

I find it strange that the House resumed after the election and we went all the way to the Christmas break and did not pass any legislation at all; then we get back here and do a little bit of work during the break. From what I have heard of some of the committees which met during the break, some of them were interesting and useful and some of them were not particularly necessary or important. But that was the government's agenda: It was to have certain things referred out to committee, and other items which the opposition had sent out to committee were not seen as priorities and they could not be dealt with.

Then the House is called back for yesterday and we are told that this bill, Bill 77, has to be passed immediately, that this is the absolute deadline, the bill actually should have been passed yesterday and if it is not passed, there are going to be all sorts of problems.

I find it really strange. If this is the top priority for a newly mandated Liberal government, and it orders the business in such a way that the day we come back it has to pass the bill, then it is really poor organization, poor planning. Absolutely, if there are any problems which result from this bill not being passed quickly, yesterday or last week, the problem squarely lands on the shoulders and on the head of the Liberal government for not properly calling us back. If this was a priority, if this was an item that had to be dealt with in order to run municipal elections efficiently, then why were we not here last week?

From what I hear from some of the people in the ministries who are dealing with this legislation, my understanding is that an advertising campaign is not ready to go yet; the whole state of dealing with this legislation once it is passed is in absolute chaos. I do not know what will happen when these forms are mailed out very soon. There has not been preparation done with the voters, and when they get these forms in the mail, the mailback rate will be extremely low. We all know, even from our own direct mail campaigns which political parties do, that it is much more effective with proper preparation of the people you are going to mail to and proper follow-up.

We are doing this in complete chaos. There has been very little preparation done. It is absolutely amazing. The government has been studying this issue for quite some time, set this as its number one priority for the resumption of the



Legislature, and nothing much has been done in proper preparation within the committee.

If I were a Liberal back-bencher, I would be a little offended in the way this has been handled as well. The government calls us back and basically says to the Liberal back-benchers: "Sit down, shut up, and don't speak on this bill, because we don't want you to speak on it. We don't want you to participate. We expect you to stand up and vote yes when we tell you to vote yes."

I would have thought that people such as my newly elected colleague the member for Windsor-Walkerville (Mr. M. C. Ray), a former member of Windsor city council, would have wanted to participate in the debate on this bill. This is a bill absolutely basic to the efficient operation of municipal elections. But I am sure the member was told, "Don't participate." That is why he is not here right now. He was told not to participate.

1740

There are many other municipal politicians who are now members of the Legislature for the Liberal Party. I gather the member for Sudbury (Mr. Campbell) was also a member of council. I am sure he was told the same thing: "Sterling, I know you want to participate in this debate but don't participate in the debate. Sit down, shut up and vote 'Yes' when the Liberal Party tells you to vote 'yes.'"

Lots of other municipal politicians and members of school boards who are now members of the Liberal caucus should be here and should be participating in this debate on Bill 77 so that we can improve the bill. But instead they have been taken for granted by their own leadership within their caucus.

The opposition parties have also been taken for granted. We were told to come back here. We came back yesterday and then we were told by the government House leader: "You've got to pass this bill. It has got to be done today. This is the Liberal government agenda and, come hell or high water, the Liberal agenda is going to be followed."

There may only be 36 members of the opposition, but that is not how this place operates. It is not how it has operated in the past when there have been minority governments and it is not how it is going to operate when there is a majority government. The opposition parties have to be respected. After all, we may be only 37 members but we do represent the majority of voters in this province. The members must remember that over 50 per cent of the public did vote for the opposition parties. We have a valid

point of view, and a point of view that is going to be expressed.

If there are problems with legislation not being passed on time, then the government is going to have to understand that we are not responsible. We do not set the agenda for this place; they set the agenda for this place. If there are going to be problems with passing legislation, then they are going to have to learn that there has to be consultation, proper planning and open ears.

**Mr. Black:** The voters knew you weren't responsible.

**Mr. D. S. Cooke:** Why don't you get up and speak on some of this legislation?

**The Acting Speaker:** Order.

**Mr. D. S. Cooke:** As a member of the opposition and as a member of parliament, I always thought it was part of my role to express my point of view, not just to be plunked down in a chair and stand up when I am told to stand up.

I hope that with the discussion on this bill and other pieces of legislation that will be coming up over the next few weeks, and I think particularly of the Sunday working issue which we will be dealing with at length in this place, the government will begin to understand that it must listen. They must listen to the opposition and the public. In the end, the result will clearly be better government, more receptive government and more sensitive government for the people of this province, and that means better-quality programs for all the nine million people who live in this province.

I hope the little exercise that has been gone through will be a useful one. I hope that maybe the parliamentary assistant will communicate to the absent Minister of Municipal Affairs that the opposition had some valid concerns on Bill 77 which have been expressed. It is obviously too late to appropriately deal with this bill through amendments. It is obviously too late to do the proper planning within the ministry to make sure that the public is aware of what is going on and prepared for a new way of doing enumeration. That time has all been wasted by the government.

But I hope the government will have learned from this exercise and I hope some of the suggestions that have been made will be incorporated into further amendments that will come in the future on how we put the voters' list together for municipal elections. After all, it is a pretty basic process. But if the voters list is not adequately prepared in a democratic society, and people are disenfranchised, then the word "democratic" does not mean a heck of a lot.



I have enjoyed this afternoon's debate and look forward to hearing other members' comments. I hope that over the next number of months we will be able to deal with this bill and other pieces of legislation in a co-operative way, with meaningful participation from the opposition parties.

**Mr. Speaker:** Are there any comments or questions on the comments by the member for Windsor-Riverside?

**Mr. Morin-Strom:** Again, I find it disturbing that the minister responsible for this bill is not here and, further, that the members of the governing party, particularly the parliamentary assistant to the minister, are not responding to the concerns that are expressed.

**Mr. Speaker:** I thought you were going to refer to the comments.

**Mr. Morin-Strom:** I am referring to the comments that have just been made by my colleague the member for Windsor-Riverside.

**Mr. R. F. Johnston:** He did mention this fact.

**Mr. Speaker:** Oh, did he mention that fact?

**Mr. Laughren:** You must have missed it, Mr. Speaker. You can't catch everything.

**Mr. Morin-Strom:** The major and initial point that was made by the member was that the governing party is not here to respond to the comments that are being made by opposition members on this bill. It is still not responding.

Then we have the parliamentary assistant here, whom we were told by the government House leader would be here. In fact, we gave him permission to sit on the other side of the House to be able to react to the comments of the opposition members. However, he has not responded up to this point, at least not during the period that I have been here, to any of the comments, very valid ones, that have been made by opposition members in terms of problems with this act, how the government is going to address them, why the government has been so slow in bringing this act in and how on earth we are going to be able to get an efficient system in place for the municipalities for the elections coming up this fall.

**Mr. Speaker:** You are agreeing with the comments of the member.

**Mr. Morin-Strom:** I am agreeing very strongly with the comments of my colleague.

**Mr. Speaker:** Any other comments or questions? If not, any comments by the member for Windsor-Riverside? You have up to two minutes.

**Mr. D. S. Cooke:** I appreciate and agree with the comments made by the member for Sault Ste. Marie, which were in agreement with the comments that I made.

I encourage members of the Liberal caucus to participate in the debate today, because I think the kind of meaningful participation that has occurred and the input from all sides of the House is useful. That was the old way that we used to operate in this place, so I hope other people will participate.

**Mr. Cousens:** I am pleased to rise to address this bill that is before the House, Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act.

There are a number of points I would like to make. I notice that the parliamentary assistant is here, at least, and has not fallen asleep with the presentations by his own caucus members and others in the House, but I have to say that the speeches from the opposition party and from my predecessors in this party have been very eloquent.

I would like to touch on a number of concerns I have about the bill. I have concerns that it has not been discussed, debated and reviewed in a great deal of detail with municipalities across the province. I do not see this bill as having a great vision for the future, as taking a whole, comprehensive view of what can be done to touch upon the municipal elections in the province. I believe the bill is fraught with a time problem. We are coming in now, and unless it is passed quickly, we are not going to be able to implement it in time. I see this as a very sick process that the government is following.

I am concerned with a number of aspects of the bill and I am concerned with the regulations around the bill, the form that is going to be used to have people respond, the enumeration notice. First of all, let me just touch on the problems and then deal with some of the concerns I have.

Why do we need to have 28 days for municipal elections in Ontario now, in 1988? We have more media around there to help politicians communicate effectively with their proposed constituents, with their existing constituents, with whoever is out there. We have electronic media. We have the newspapers and so many ways in which we can talk to people, and it is going to be seven more days. Already, people in the province do not take enough heart and enough interest in municipal elections, and what the government is going to do now is just bore them to death over the 28-day period. It should bring it in closer.



**Mr. Fleet:** Just as you're doing now.

**Mr. R. F. Johnston:** Change provincial ones to 15 on that basis.

**Mr. Cousens:** We could reduce the provincial ones. You do not need the length of time right now, because by the time you put it out, it is going to be a cost to the candidates. You have an extra seven days. Everybody is saying, "What is going on here?" There will be so much chance for the Liberal candidates out there in the province. They can have 28 different positions. At least, if you have it the old way of 21 days, they would have 21 positions. It is going to be more confusing to the electorate than it has ever been.

I am concerned that we are just adding a length of time to the election process, and I have not heard any reason from this government as to why it should not be shorter. It has gone the other way; it is adding to the length of time.

I do not think there is any doubt that anyone who has run for office municipally knows that a 21-day period is sufficiently long to do the job he has to do, to present himself, to prepare his brochures and to complete that whole electoral process so that the public knows who he is. Tell us, why is it they have to add seven more days in an age in which they could be cutting it back?

1750

I am concerned with the total confusion to the electorate in Ontario, because there has not been any effort—

**Mr. Fleet:** You are confused.

**Mr. Cousens:** There is always someone who is going to be confused, because the way they are doing it no one understands why, how, when, where or what they are up to.

The people here in Ontario are shortly coming into municipal elections. It is going to be this year and there are going to be so many changes I am worried, unless there is supporting documentation, supporting information and effort so that the people out there in the municipalities understand what is going on.

Why is it so piecemeal? Why is it that they have this bill and then there was another bill for Toronto and there might be another one tomorrow on election finances and there might be another one and another one? Why have they not come forward as a government with a cohesive plan that says, "Here's what we are going to do for the municipalities in Ontario"? Table a strategy; put out a white paper, a green paper—or maybe with those guys a pink or red paper—so that people have a chance to understand what it is they are up to.

What they do is they just take a little bit here, a little bit there and it is all over the place. There is no cohesion to what they are up to, and they are missing the opportunity of allowing people to become very much more involved in municipal elections. There was a project by a former Minister of Municipal Affairs and Housing, the Honourable Claude Bennett, and the fact is that we were concerned as a government in those days that the turnout at municipal elections was so poor. In some municipalities it is down to 25 or 28 per cent of the population that votes. In some communities it is maybe only around 30 per cent.

Interjection.

**Mr. Cousens:** Probably in those that voted for you, it was down to 10 per cent.

**Mr. Faubert:** No, 40.

**Mr. Cousens:** Oh, 40. I did not know the member had that many relatives.

The fact of the matter is, we should be looking at ways of involving municipalities in Ontario and the people of Ontario in the electoral process. What this thing is going to do—and I am going to go over the form the government is going to be sending out—is that it is going to turn them off; it is going to turn them right off as to what it is all about. I will come to a number of reasons for that.

I hope there is not a mail strike when they are mailing all these things out. I can just see they are going to have problems that are outside of their own control.

I wonder why it has taken them so long to bring this forward. Here it is election year and we are into a deadline. It just makes no sense at all, at least to the thinking people on this side of the House, and there might be a few thinkers over here in the rump, but those among us who are concerned with the people of Ontario have great concerns that the government has waited so long to make this happen.

I am delighted that the member for Carleton brought forward the concerns of the Carleton Board of Education and the concerns of French-speaking persons who want to be involved in the next municipal election. I am just sorry that he has to bring it forward in this way. It could have come through much, much better had the government done what the member for Simcoe East (Mr. McLean) was asking for, and that is that there be some public hearings and some involvement with it. They are obviously not prepared to do that; we will use the House as the forum to present it.

It is very good to see the Speaker in the House. It must be a heavy day, having question period



and then all the meetings you have and then to be here for the closing of the House. I just hope that someone like yourself, who is so neutral and so unbiased, has had a chance to look at the municipal enumeration notice that has been prepared to go with this legislation.

I cannot show it to the people who are watching on TV right now. I am sure if you send a letter to the member for Brantford, the parliamentary assistant to the Minister of Municipal Affairs, he will send you a copy of it. I am only fortunate enough to have a photocopy, but with this legislation going through, every house, every apartment in Ontario is going to receive one of these documents. I think it is green. I am not just sure, because I am working from a photocopy.

It is the most boring-looking document. It is the most unexciting thing that people will have ever seen. It will come to their homes, they are going to look at it, and it is full of print.

**Mr. R. F. Johnston:** Unless they watched my speech.

**Mr. Cousens:** If they listened to the speech by the member for Scarborough West, they will be excited. I hope they did.

I cannot believe in the year 1988 we are putting together a form for people to respond to that is so screwed up, so messed up, so hard to read and so difficult to work out as this one is. I am surprised that some of the other honourable members in this House have not torn it apart the way I intend to.

Interjections.

**Mr. Breaugh:** There is a reason for that, though.

**Mr. Cousens:** There is a reason for that; those guys cannot read the fine print. The municipal enumeration notice is what it is called. It is going to be going out any day now. There is fine print. With my glasses, I can read it off, but there are some people who are going to have trouble reading the fine print. There are an awful lot of people in this province who cannot read the fine print that is on there. I know that for a fact. Is there a second form to handle the visually impaired? Please answer that question when responding to some of the concerns we are raising.

It says right at the beginning, "You are required by section 14 of the Assessment Act to complete and return this notice." What happens if they do not? Is there some rule that they have to do it? What are the penalties if they do not? I venture to say that it is going to raise many

questions in the minds of people in Ontario who will say: "My goodness, what does this mean? What happens if I do not? I have been away for a while and I am required to fill it out." Maybe there will be some explanation of what the Assessment Act is really asking them to do, because as it stands in Ontario, if people do not want to vote, they do not have to vote. We want to make it easy for people to want to become involved in the electoral process.

I do not know what people are going to do in certain parts of Metropolitan Toronto, in parts of my riding and in other parts across the province where we have many different languages being spoken other than English and French. In Milliken, in the riding of Markham, there are in excess of 50 different languages being spoken. There are many people within that section of maybe 12,000 to 14,000 people who do not speak either French or English. How are they going to handle this form? How are they even going to be able to read that first little sentence that says, "You are required by section 14 of the Assessment Act..."? Is there going to be any direction to those people who speak other languages? Where has the minister of culture been on this one? Has he had anything to do to help understand the needs of those people who otherwise might never be able to fill this out?

**Hon. Mr. Sorbara:** That is the Minister of Citizenship. The minister of culture is a she.

**Mr. Cousens:** I know, but no one is working over there so we really do not know who is doing anything. I think it is time we had Susan Fish back in there and she could show you guys how to do it.

The fact is, we have got people who speak many different languages who are going to have a great deal of trouble reading this form.

Just as an aside, I am very appreciative of one of my fellow members, the member for Stormont, Dundas and Glengarry (Mr. Villeneuve), because he was saying, "I hope they keep better track of the results of this than they have of the people on the Ontario health insurance plan." I understand there are 14 million people on the OHIP roll.

**Mr. Villeneuve:** Twenty-seven million.

**Mr. Cousens:** Is it 27 million on the OHIP roll? I wonder what is the population. It is going up. Everything else is going up, the cost and all these things. The fact is, I hope that the government has sent in all the systems and procedures to make sure that when these forms are finally collected in the municipalities, they are going to be tabulated correctly. I assume that

would be the case if there are certain other people to look after it.

This is a form that is going to turn people off. There is an example here which says, "If any of the information is incorrect or incomplete, or if it relates to the previous occupant, owner or tenant, please correct as shown in the example. If you look at the example, and I just cannot believe, because I cannot tell what is right or what is wrong by it, there has to be some more explanation of what it is that you want people to do when there is a mistake or a correction to make. It is an extremely confusing section within this form.

I am just cut for time. The problem is, there are a number of problems with this form. I would like to touch upon one of the sections that pertains to residency. Under this section there are quite a few words and they are all in very fine print so some people will not be able to read it. I would not mind putting a test to the honourable House leader to take his glasses off to see if he could read it. I am sure it will be the only thing he has ever failed in his life.

This section says, "If you live in another municipality, check box 3." What does that

mean, "If you live in another municipality"? Does it not mean that in a municipal election you can vote in the municipality in which you live and also in a municipality in which you own property? So the question comes forward, should there not be some explanation to the person who is filling out this form as to his right to vote—

**Mr. Speaker:** The member may wish to take note of the clock. If you have further comments, you may wish to adjourn the debate.

**Mr. Cousens:** I will then, Mr. Speaker.

On motion by Mr. Cousens, the debate was adjourned.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Conway:** Just for the information of the House, I would like to indicate that tomorrow we will continue with the debate on Bill 77, at the conclusion of which, should that be the case, we will proceed to debate the government notice of motion standing in the name of the Treasurer (Mr. R. F. Nixon).

The House adjourned at 6 p.m.



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Oriole L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)  
**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
**Grandmaitre, Hon. Bernard C.**, Minister of Revenue (Ottawa East L)  
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)  
 Haggerty, Ray (Niagara South L)  
 Hampton, Howard (Rainy River NDP)  
 Harris, Michael D. (Nipissing PC)  
 Hart, Christine E. (York East L)  
 Henderson, D. James (Etobicoke-Humber L)  
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 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
 Johnston, Richard F. (Scarborough West NDP)  
 Kanter, Ron (St. Andrew-St. Patrick L)  
**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
 Keyes, Kenneth A. (Kingston and The Islands L)  
 Kozyra, Taras B. (Port Arthur L)  
**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
 Laughren, Floyd (Nickel Belt NDP)  
 LeBourdais, Linda (Etobicoke West L)  
 Leone, Laureano (Downsview L)  
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 McGuigan, James F. (Essex-Kent L)  
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 McLean, Allan K. (Simcoe East PC)  
**McLeod, Hon. Lyn**, Minister of Colleges and Universities (Fort William L)  
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 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)  
**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)  
 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)  
 O'Neill, Yvonne (Ottawa-Rideau L)  
 Owen, Bruce (Simcoe Centre L)  
**Patten, Hon. Richard**, Minister of Government  
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 governmental Affairs (London Centre L)  
 Philip, Ed (Etobicoke-Rexdale NDP)  
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**Wrye, Hon. William**, Minister of Consumer and  
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# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**  
Thursday, April 7, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, April 7, 1988

The House met at 10 a.m.

Prayers.

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### DAY OF MOURNING

Mr. B. Rae moved resolution 18:

That, in the opinion of this House, recognizing that more than 1,000 Canadian workers are killed on the job in each year; and recognizing that hundreds of thousands more are injured on the job, thousands of whom are permanently disabled; and recognizing that thousands more suffer and die from disease caused by exposure to toxic substances at the workplace; and further recognizing that the memories of the workers who have died and the suffering of the still-living victims must be honoured; therefore, the government of Ontario should declare the 28th day of April in each year as a day of mourning and recognition for the victims of work-related injury and disease, to be observed by a minute of silence and the lowering of flags to half-mast.

**Mr. B. Rae:** I think all honourable members have, in their own experience and in their own lives, come face to face with the meaning of the resolution I am presenting to the House today. I know from my own experience that one of the most troubling parts of my own work has always been, even before I was in politics, when I was working for the one of my first employers, who happened to be the father of the member for Mississauga West (Mr. Mahoney)—and what an experience it was when I worked for the United Steelworkers of America or when I worked as a legal aid worker for the Union of Injured Workers—to find families that were literally devastated, lives that were transformed and changed, and people who had in their early years great hope and prospects finding them cut off because of an accident at work.

Indeed, I can recall that one of the very first cases I encountered, when I was working at the corner of Dovercourt Road and College Street in Toronto, was a young man from Ecuador who was 26 years old, who came to me with three fingers missing on his right hand. I asked him how long he had been in Canada, and he said, “I

have been in Canada for three weeks.” He then told me the story. He went to work in a small woodworking plant. The plant had no barriers on the saws they were using and, as a result of that very basic lack of health and safety, he had permanently lost the full use of his right hand.

I can remember just thinking to myself and talking with this young man what a tragic impression he must have had of the country to which he came looking for opportunity and advancement, as all immigrants to this country have done. He found instead in a bucket-shop operation the kind of injustice that I am sure all members of the House would want to see ended.

The significance of April 28 as a day of recognition is quite simple, and it is one I think all members of the House can readily relate to. The significance of April 28 is that it is the day on which in 1914 the first Workers' Compensation Act in Canada was passed, and I remind honourable members that it was passed in this chamber. It was passed, I might point out, by a government which had a Conservative majority at that time. There was a consensus in society as early as 1914 that this province needed to create a framework of law that would provide a semblance of justice and care for workers.

The system itself has not been dramatically changed since 1914. The basic principles of the law have remained intact. Yet what is so troubling is that despite that consistency in the law, the number of accidents, the number of deaths and the number of people who face illness at work have not decreased. Indeed, they have gone up.

In a moment I want to talk about the families I have met, and I am sure other members can talk about the families and situations they have encountered, but I first want to talk about the sheer size, the dimension of the problem.

In 1983, there were over 300,000 accidents. In 1984, there were nearly 400,000. In 1985, there were over 400,000. In 1987, there were nearly 500,000. The problem has simply grown. It has grown in a dramatic way without, I might add, any significant or dramatic increase in the size of the so-called blue-collar workforce. The number of deaths per year has now reached the point where we in Ontario can say that every working

day someone will die as a result of industrial accident or disease. That statistic has been startlingly, depressingly constant for the last five years. In 1987, 238 people died as a result of an industrial accident or a disease flowing from conditions at work.

The purpose of this resolution is to give the province, for one day, a chance to focus its attention on this problem, which has been for such a long time, in a sense, an invisible problem, one which people are not sufficiently aware of or sufficiently alive to. It is a chance for us—not to make a particularly partisan point, though there will be many cases in this House on which all of us will want to do that; I think it fair to say that for decades members of our party have been focusing public attention on this issue, on the need for us to change the law. We have reason to believe that the law is going to be changed once again, very soon, because of the pressures we have brought to bear.

Notwithstanding those partisan battles and the criticisms we have made of employers, the criticisms we have made of a government which has failed to enforce the law and which has failed to maintain standards that would make good health and healthy lives possible, this day is a chance for all of us, regardless of political background, and for all the people in the province, to pause for a very brief moment and to recognize those people who have built and made this province.

If one were to go through the archives and the roll books of the Workers' Compensation Board and look at those who have been injured and those who have died, one would find really a history of the working people of this province. One would find bush workers who, young and healthy at 16 or 17, went into the bush and lost an arm or a leg at 23 or 24 and spent the rest of their lives on a pension. One would find steelworkers who worked in coke ovens in Algoma Steel who for a generation were breathing poison and whose lungs were destroyed by breathing that poison.

One would find the Italians and Portuguese who, since the great immigration in 1945 to 1965-1970, have built so much of this province. One would find people whose lives have literally been devastated because they worked and who, because work is the central activity for all of us outside of our family life, through working have put themselves in danger and put themselves at risk.

1010

I am very proud, and I hope we will get some movement from the government and a recognition from all members that this is a right thing to do, of moving this resolution. It may be funny for the Leader of the Opposition to say this, but I do move it in a way I hope members will see is really intended to be nonpartisan. The concept of a day of mourning is one that has been endorsed by labour federations across the country and by the Canadian Labour Congress. It is the hope, I know, of a great many people in those organizations and in the labour movement that April 28 will become a national day of mourning. But because of the nature of our structure as a country and because of the federation we are, it is important for all of us in each provincial level and in every province to recognize this in a special way.

Madam Speaker, I hope you will permit me, in the few minutes I want to take before reserving some time for my response, to recall the courage and the dedication of those workers who have given so much. I think without question one of my best memories of a political campaign was in the last election when I sat with Mrs. Larcher and a group of women whose husbands had all died underground. I had known Mrs. Larcher for some time. We had met on many occasions in Timmins and we met when she came here to campaign on behalf of those miners who died underground because of breathing that noxious cocktail that exists in so many of our mines. She simply told her story. She told her story to a group of reporters, many of whom I am sure had never been in Timmins before and many of whom had never encountered this situation before. In telling her story I think it fair to say people were genuinely moved. It was a moment, as it were, outside the partisan oneupmanship we all associate with an election campaign.

Those women together, all of them in their 60s, 70s and 80s, reflected an experience of such an important part of this province, men and women who came to towns like Timmins, Kirkland Lake, Sudbury, Elliot Lake and Red Lake, from all across the north, northeast and northwest, who have not just for a few years, but if one looks at the history of this province for 100 years, been working underground in the most dangerous of conditions, the most insecure of work, living the most rugged lives that one can possibly imagine.

Those widows still had exuberance, still had an enormous sense of the wonder and joy of life and they also had a fair share of anger. There was no sense of mournful sadness. There was a sense



rather, as I say, of joy and anger. There was great humour in their presentation, great realism in their portrayal of what losing a husband at 50 or 55 meant for them and their families; a great sense for Mrs. Larcher who, as she pointed out, lost not only her husband but a son and two brothers to mining accidents.

Outside of the experience of many other families with war, I can hardly compare that experience to anything I had seen. I know from talking to my grandmother that within a week she lost two brothers in the First World War. When she told me that as a small boy, I regarded that as just one of the saddest, most difficult things I could imagine. Here I was 35 years later listening to a woman talk about the loss in her family, and what was that loss? It was not caused by warfare but caused by simply going to work every day in an Ontario mine.

I must say that in honouring these families and in remembering them, I hope we will do what we do on November 11, that is, in remembering the sacrifice, we also say "Never again." I do not think governments should simply point to the statistics about employment and to the statistics about the number of jobs that are created and to all those other statistics which they release from time to time in budgets. I think governments ought to say, "We have reduced dramatically the number of people who have died at work and that is because of the policies we have followed." That is the kind of thing governments ought to be able to say. Right now, they cannot say it. Right now, governments cannot say that.

And so the purpose of this day of mourning and of recognition is for us as individuals to remember. All of us in this House, because of the work we do and because of the kind of contact we have with working families, will have particular people we will want to remember. Families who have lost someone will be prouder, I think, of at least the sense that the sacrifice their husbands and wives made was finally being recognized for what it is.

I hope very much that this resolution will have the support of the House and I hope very much that, having passed this resolution, the government will move immediately to implement it. We are not asking a great deal. We are asking that people pause for a brief time during the day to recognize that sacrifice and to recognize those who have suffered.

We are also suggesting that flags of the provincial government, flags over which we have some control, should be flown at half-mast for that day so that if a little boy says to his

mother or father, "Why is that flag being lowered today?" people can talk about what happens to people at work, people can talk about the fact that people who work in many of our plants and mines have been forced to breathe stuff that is poisonous. They can talk about the fact that our doctors and scientists estimate that as many as 6,000 people in this province die every year from occupational disease. To use the old Latin phrase, it may be that to work is to pray, in the sense that it is a ritual and a key part of our expression of our personality, but it is a tragedy if in working we are forced to die.

That is something every child should know about, that is something every person should know about and that is something we should all be working to change.

**1020**

**Mr. Pollock:** I am pleased to join in this debate and I would like to compliment the member for York South (Mr. B. Rae) on his resolution. It is my understanding that there are well over 1,000 people who die in the workplace across Canada, and that is totally unacceptable. We should endeavour to do anything we can to cut back on that loss of life or injury in the workplace.

There are a couple of things the member for York South mentioned. One of them was people in the workplace. I looked it up in the dictionary, and the dictionary's interpretation of "worker" mentioned the fact that it is someone who worked in a plant or in an office building. Another interpretation in another particular dictionary is a person who belongs to the working class.

I question that for the simple reason that in some of the printouts I have of the fatalities which have taken place across the country, they list all these different occupations: agriculture, forestry, fishing, trapping, mining, quarrying, manufacturing, construction, transportation and communication and other utilities, trades, finance, insurance, real estate, service industry, public administration and unspecified industries, and I hope that group even includes the housewife.

I appreciated the member's comments on why he chose the day of April 28. I really did not know his reasoning for choosing April 28, and his explanation, I thought, was extremely good. I was a little concerned about having April 28 to recognize those workers who died in the workplace, because it is only two days from the May Day celebrations in Russia and I would prefer not to align ourselves with another country's political philosophy. However, we all know that this

bill was actually passed in 1914, which was before the Bolshevik revolution. Therefore, I think he has a good point when he brought forth April 28 in that respect.

I actually heard a person say that he was in a plant and they had a demonstration in this particular plant. They actually blindfolded the workers and asked them to do some of their daily chores. One of the things they asked them to do was to put toothpaste on a toothbrush and brush their teeth. The person who witnessed this demonstration said they had toothpaste all over the place. The reason for this demonstration was to bring home to those workers how important their eyes are and that they should always be wearing their safety goggles or their safety glasses.

I firmly believe that particular type of demonstration would bring home to more workers the importance of safety in the workplace than a whole lot of fancy speeches in this particular assembly. I think that same point could be made about one's hearing. I agree with the member for York South when he mentioned that safety shields should be kept on motorized and mechanized machinery, and that in itself would cut down on quite a lot of injury.

We all expect that the people who look after our highways, our county roads and our township roads should be out and have those roads sanded and snowplowed. Not only do we expect it, we demand it. But those workers who are out there sanding when the roads are glare ice or in a blinding snowstorm are also putting their lives at risk. I think we owe a word of gratitude to those people too, because there has been loss of life in those particular cases.

Also, I was a charter member of the Rawdon township volunteer fire department and I served in that capacity for 17 years. I can recall going to fires and wondering what kind of situation we were going to run into. I can recall answering a fire alarm one night; actually, it was 3 a.m. It was a house fire. We eventually got the fire out and then there were places that were still smoking. One of my fellow firemen was up on a ladder, trying to wiggle a piece of steel loose because there was some smoke coming from underneath it. All we had for light was the flickering light of a flashlight, and as I said, it was cold and three o'clock in the morning. All of a sudden that piece of steel came loose. He fell off the ladder. Luckily, he was able to land on his feet or he could have been seriously hurt.

We also know that professional firefighters, along with the volunteers, have lost their lives in

the line of duty. We know that policemen, in their line of duty, have been gunned down on the streets or in their line of work.

One of the groups of people that very seldom ever gets recognized is our game wardens. Game wardens have to go out there in the bush, all by themselves in most cases, and enforce our game laws. Everybody believes that we should have game laws, but there are a lot of people out there who think those game laws are for the other person, not for them. To walk up and charge somebody who is possibly poaching and that person has a .30-30 in his hand—or as some people refer to it, a small cannon—is a very touchy business, because some of those people who are involved in poaching are not our ideal citizens.

Even for the people who work in our health care system, doctors and nurses and our lab technicians, there is more risk being involved there because of radiation, for one thing. Now when you take a blood sample there is a possibility that person you are taking the blood sample from could have the acquired immune deficiency syndrome virus.

I might say that there is an ad coming across the radio, put on by the Ministry of Health, which says the only way you can get AIDS is by sexual intercourse. I was always of the understanding that you could get AIDS from blood transfusions, you could get AIDS from using unsterilized needles, if you were actually a drug addict, and from various things, so I have questioned whether that particular ad is correct.

Also, I have been in a doctor's office at five o'clock at night and that office would still be full. I do not know when that doctor got through, so there was a certain amount of stress involved with his job, plus the fact that doctors in small-town Ontario are usually involved in or usually give 24-hour service. They have to go out, when they are called, in blinding snowstorms and icy roads and that sort of thing.

I agree with the member for York South that we should pay tribute to all those who have sacrificed their lives on the job in providing service to other people.

1030

**Ms. Collins:** As a member who represents a riding with a strong labour base, I fully appreciate and support the labour movement's desire to formally recognize workers who die on the job.

However, no one group has a monopoly on concern for workplace health and safety. Everyone in this province has a stake in improving our



occupational health and safety system. Everyone loses when a worker is injured on the job or contracts an occupationally related illness. Everyone gains when a workplace is a safer place to work. Thus we are not talking about remembering injured workers for one day of the year. We are talking about making improvements to the workplace health and safety system to prevent the occurrence of these injuries, illnesses and deaths 365 days of the year.

This government is committed to making these improvements. The objective of this government is to ensure that workers return home safely from their jobs at the end of the day. Real progress in achieving this goal will come about only when we succeed in creating an environment in which both workplace parties in each and every workplace of the province accept full responsibility for workplace health and safety every day.

The fundamental prerequisites for that kind of co-operative undertaking are a commitment and a willingness on the part of labour and management to join forces to prevent occupational accidents and illnesses. To facilitate progress along these lines, the present Minister of Labour (Mr. Sorbara) is holding ongoing discussions with representatives of labour and management on these issues. This consultative process is essential to obtain the commitment of both workplace parties to make the health and safety system work. This commitment forms a necessary cornerstone of a truly effective health and safety system.

In the near future, this government will introduce legislation that will put Ontario in the forefront of occupational health and safety reform. This comprehensive reform package will reflect the concerns and aspirations of the workplace parties themselves for a health and safety policy that strengthens their duties and shared responsibilities. It will result in real progress in preventing precisely the kind of workplace illnesses and accidents referred to in this resolution.

So far as the resolution itself is concerned, I may not agree with the tone of the preamble. However, I do support the substance of the resolution. It is important to mourn for the victims of work-related injury and disease. However, a one-day remembrance will have little meaning if it does not lead to an everyday improvement in workplace health and safety.

**Mr. Mackenzie:** I would hope that all of the members in this House will support the resolution that has been put forward by my leader and colleague. The proclamation that has been called

for by the Canadian Labour Congress and the Ontario Federation of Labour and by workers in Ontario at convention is not one that stops all the things that have been mentioned by the member for Wentworth East (Ms. Collins) that the government could be doing, but it certainly gives a bit of a focus and a day on which we can remember one of the groups that probably gets the least recognition for its contribution to society and for its suffering in terms of their contribution to society.

I think the proclamation that came from the labour movement in this country is useful to read into the record. It simply says:

"Whereas every year more than 1,000 Canadian workers are killed on the job and whereas thousands more are permanently disabled and whereas hundreds of thousands are injured and whereas thousands of others die from cancer, lung disease and other ailments caused by exposure to toxic substances at their workplaces; and whereas April 28 of each year has been chosen by the Canadian Labour Congress as a day of mourning for these victims of workplace accidents and disease, a day to remember the supreme sacrifice they have been forced to make in order to earn a living, a day to renew approaches to governments for tougher occupational health and safety standards and more effective compensation, a day to rededicate ourselves to the goal of making Canadian workplaces safer; I do hereby proclaim April 28 as an annual day of mourning in recognition of workers killed or injured or disabled on the job."

Surely we are not asking too much when we ask to set aside a day that does allow us to charge ourselves with a renewal of our efforts in the field of health and safety in Ontario and in this country of ours. Surely this initiative should have come from government, be it federal or provincial, and should not have had to come necessarily from the trade union movement. If the government wants to pick another day, fine, I guess it could have; but they have taken the initiative and have promoted it right across this country of ours.

I think the statistics speak for themselves in terms of what is still happening when it comes to health and safety in the workplace. I think some of the background and some of the history is worth remembering. I can recall in my early days in this House the fight which had been going on for a long time then, of the Johns-Manville workers. I think most of you know that better than 60 per cent, I think it is actually over 70 per cent, of all the workers in that plant suffered as a result. The number of deaths there from lung



disease was unbelievable, yet it took not months, not years, but decades, to win the fight and establish the fact that it was a workplace hazard causing the problems.

We look around us even today. I happen to have had an annual meeting in my riding last night, where we elect our officers for the coming year, and four of the active people and four of the participants standing for elected office in my riding association are injured workers or workers who are on or had been on or are still on workers' compensation as a result of workplace injuries. I think you do not have to go far in our community and in our society today to understand the effect that injuries in the workplace have had and the fact that we have not given it the attention we should.

The government is taking a number of initiatives. Where it does, I congratulate it, but there are a number it has not yet taken. We have had one raised, for example, in this House in the last session, and one that caused some heat. I am talking about construction sites. When he was the Minister of Labour, the member for Windsor-Sandwich (Mr. Wrye), at building trades conventions I have attended where we have both spoken, was urging and promising additional protection for workers on construction sites.

I am using this only as an example. We have two construction sites in Ontario where we have mandatory health and safety committees: the bank and the SkyDome project down here on the waterfront; two. The building trades in this province have asked for mandatory health and safety committees on major projects, major building sites, for at least four years now, that I know of, through their conventions and through appeals to the government and to the ministers of labour, both the previous government and this current government in Ontario. Yet we have today two major construction sites in Ontario with a mandatory health and safety committee on them in spite of the strong request from the workers involved.

Why is that? What is the holdup? What is so difficult about that particular issue? Why should that not be brought to the attention of members of this House? Is it because the other side, which is the contractors, has steadfastly argued against and fought against mandatory committees on construction projects? One has to wonder if contractors have not had one heck of a lot more influence with governments in Ontario than the workers have. Usually it is not the contractor himself who will end up with a back injury or a death, whether it is a wild elevator ride or what

have you; it is the workers on those construction sites.

What is wrong with us taking a day during which we have a moment's silence and recognize that better than 1,000 workers are dying each year in work-related accidents and that those in the thousands are affected with work-related diseases? What is wrong with taking that minute's silence on a set day each year? Also, what is wrong with lowering our flags to half-mast on that particular day? How does that in any way whatsoever stop us from doing the things that should be done on a day-to-day basis and as a commitment and initiative of a government in Ontario?

As a matter of fact, I suggest, in as restrained a way as I can, to all members of this House and to the member for Wentworth East, after her few remarks, that setting this kind of day to recognize the contribution workers make, the negative contribution in terms of their lives and their health, and lowering those flags to half-mast and taking a minute's silence may indeed force all of us to have a little more respect for things like health and safety in the workplace and a little more commitment to doing the kinds of things that are necessary for healthier workplaces.

#### 1040

We could have been very tough in terms of our feelings and our comments on this. I want members to know that if one goes down to a labour convention, one thing they are really getting into the swing of things on is the health and safety conditions they have to work in—and these are large plants, small plants, construction sites and industrial sites right across this country—the kind of protection they have, what is there and what they can do to prevent the disastrous effects that have been there for previous workers and their widows, who are suffering because we did not have the kind of safety and health legislation we should have in Ontario.

They understand it, and when they talk about safety and health in the workplace the terms they use are to prevent and stop the slaughter in the workplace. They are not doing it for effect of words only. They are doing it because the workers in those plants have had situations where they have had to deal with accidents and injuries, where they have had to handle the compensation claims and the efforts to establish a pension for the widow of a worker who has been injured. God only knows—one can take a look at nothing but the fight in the mines, to try to establish pensions for the workers in the mines, to know that it does not come easy.



I can recall sitting in the Ministry of Labour estimates in this House in 1976 when officials of the Ministry of Labour told us we were nuts when we were trying to make links between the death of gold miners and their work in the mines and there was absolutely no proof and nothing we could say that would convince them—and these were ministry people—there really was a connection which should mean quicker action in deciding that the widows of gold miners were deserving of pensions.

We had the same thing, maybe not quite to the same extent, in terms of some of the uranium miners. Just within the last year or two, as all members in this House know, we now know there is a clear connection, something we knew 10 or 12 years ago when we were arguing this issue with members of the government at that time. But we could not move them on it.

Surely we need some kind of a symbol. The symbol itself does not do it, but I think it is a marker, something that gives us that little jab we need every once in a while to realize that all of us in this House have a real obligation in terms of our commitment to the kind of legislation that makes it better and safer for workers in the workplace.

Surely it is not asking too much for the unanimous endorsement of this resolution and the follow-up which sees that we do take that minute's silence, do lower our flags to half-mast and do recognize on that day that we have an obligation, a job which is not yet finished.

**Mr. Cordiano:** I rise today to speak on this resolution as one who has been touched personally by tragedy. My father, who was killed on the job some 29 years ago as a very young man—he was about 28 years old—came to this country as many other people have, as an immigrant, and found his new place in this country with tremendous opportunity for many, many people. But he lost his life on the job. It is certainly the case that there were very few safety procedures in effect at that time. The efforts that have been made since then, while incremental, certainly have gone some way to reducing the fatality, the loss of life and the toll that has taken on our society.

I did not know my father. I was but an infant and had just had my second birthday when he died, but I can tell members and recount some of the suffering my family had to undergo. My mother, who then became a widow, certainly suffered quite a bit. I say that because I understand the countless numbers of people in my constituency who go through similar loss and

similar suffering. There is not a person in this House who has not seen that toll take effect on his constituents. Some of the newer members, if they have not seen it already, will see it some time in the future, and hopefully not too much of it.

There are numerous workers out there who are injured on the job, as has been said earlier, almost daily. We should not pride ourselves on that. We should look back and say that our work is ongoing, it is never complete. There is a lot we can do in this area to further the cause. When we look at the people who have suffered, this is the very least that we can do for them. I urge the members of the House to support this resolution unanimously, as the member for Hamilton East (Mr. Mackenzie) has hoped.

I do not want to go on any further about this. I just want to say that I support and commend the Leader of the Opposition (Mr. B. Rae) for bringing this forward. It is certainly long overdue. I stand here partly saying to myself that perhaps I should have done a little more to further this endeavour. I would like to say today that I will continue to support the efforts in this area to further the cause and advance safety in the workplace, trying to reduce the number of injuries. I thank all the members and hope they will support this resolution unanimously.

**Mr. Farnan:** Just briefly, I would like to focus the issue as far as I see it. The motion put forward by my leader and colleague is one that simply says, "Let us remember, and let that memory influence the decisions that we make." In a nutshell, that, to me, is what this day of memory, this one minute of silence in the workplace, symbolizes. It symbolizes one moment in the year when the family of Ontario, the family of workers and individual families, will reflect upon its experience.

As families, we celebrate moments of happiness and moments of joy. As families, we also come together to remember those moments of pain and sorrow. To deny that life is made up of both joy and sorrow is to deny the reality of life. In putting forward this motion, my leader is saying: "Let us stop for one moment in the year. Let us pay tribute to all of those men and women who go to work every day." It is not only those who are injured and who die. There is also a sense of celebration that there is the living as well, because many people do work in a hostile environment. Sometimes the very nature of the job demands that there be risks. Our job as legislators is to ensure that those risks are minimized to the greatest possible degree.



I think all members of this House can bring together the statements that were made this morning, the statements to remember and to work towards improving the environment. There is no dichotomy of view between us, as the arm of government working for better legislation in the area of health and safety and recognizing on April 28 the workers who have died and the workers who have been injured and, in a sense, celebrating the workers who are living.

1050

**Mr. Runciman:** I know Conservatives are frequently painted as people who do not care about the workers of this province and I think that is certainly an inaccurate perception that is sometimes put before the electorate. I want to just make a few brief comments in complimenting the Leader of the Opposition for introducing this resolution and indicating, certainly, my personal support and I believe the support of all of my colleagues in the Progressive Conservative Party.

I have had some experience going back a number of years in dealing with the problems of injured workers and in dealing with workers who had to go to work on a regular basis in very hostile environments. This is something that I have not talked a great deal about in this House, but my experience was as a union president during some years of startups of chemical plants when we were dealing with hazardous conditions on a 24-hour basis and fought to ensure that practices and procedures were put in place to ensure as best we could the safety of the people involved in those plant operations.

I also personally suffered a very serious industrial accident a number of years ago when I was sprayed with liquid urea. Fortunately, at the time I was wearing safety goggles while watching an employee perform a duty, but as a result of a faulty pressure gauge I suffered a serious industrial accident. Fortunately, my eyesight was saved and I have not suffered any scarring from that incident but I have suffered from skin cancer as a result over the years.

I was also on a shift a number of years ago when a fellow worker was caught in the conveyer system and, over a period of half an hour, slowly lost his right arm—he was a right-handed individual—to that conveyer system. The employer was very supportive of that individual and he is back gainfully employed in another work area in the firm and doing an outstanding job.

Certainly, we have a great many people in this province who have to work under difficult circumstances. Although this is a symbolic

gesture on our part, I think it is an indication to people across the province that we care, that we are going to, on a regular basis, do the best we can to improve their lot right across this province. Again, I want to indicate my personal congratulations to the Leader of the Opposition for bringing this forward and indicate our support.

**Mr. B. Rae:** I am obviously happy with the response which the resolution has received. I will write down the number of occasions upon which members have congratulated me and those words will appear in all my future leaflets. This happens so rarely that I am obviously very pleased.

**Mr. Runciman:** That might do more harm.

**Mr. B. Rae:** No. I say to the member for Leeds-Grenville, there are people in my constituency who I know will be affected by his words and I need all the help I can get, as I might note he does as well, if we look at our mutual results in the last election.

Seriously, I do want to thank the members for their participation in this moment and to say that I hope very much that, as a response to the passage of this resolution, the government does, in fact, take steps to see that on April 28, this month, we do signal to the workers of the province our commitment to remember and recognize them in our workplaces and throughout our daily activities.

I think the words that have been spoken by the member for Lawrence (Mr. Cordiano) and the member for Leeds-Grenville in terms of their own experiences are a far more eloquent statement of our common situation as the family of Ontario than any words, either loud or quiet, that I might utter this morning. I think it is the experience of the families of this province that speaks to this issue. It is that experience that we have to reflect in our work and in our endeavours.

The member for Lawrence said he wished he had done more. I do not think there is a member in this House who could not honestly say those same words. Of course, we all wish we could do more. Some of us wish we could be in government so we could in fact do more, but still we have a common obligation as members to do more.

That is really what this resolution is about. It is a chance to remember, to reflect as a common family in this province our experiences, our loss, our sadness and yes, our recognition. Yes, it is a chance as well for us to all say to each other we can do more. We can do better. We can protect life and health better. We can advance it better. All of us have a common obligation to do that.



## ORDER-IN-COUNCIL APPOINTMENTS

Mr. Runciman moved resolution 15:

That, in the opinion of this House, the government of Ontario should immediately implement the 1986 recommendation of the standing committee on the Legislative Assembly to provide that all order-in-council appointments be subject to review by a committee of this Legislature.

**Mr. Runciman:** I am going to try not to be too partisan in my comments today in respect to this subject, although when one is talking about patronage it is certainly difficult to avoid that totally.

We are here really to talk about the appropriateness of what is occurring with the government of Ontario in terms of the order-in-council appointments—not necessarily the appropriateness of those appointments, but the fact that the government, a number of months ago and following election to office, and prior to that really in the accord with the New Democratic Party, indicated that we were going to be looking at significant changes in respect to the appointment process. In fact, I believe there was a commitment in the accord that significant change would occur.

In December 1985, the Premier (Mr. Peterson) said: "This government makes its appointments on the basis of merit alone, on the basis of what a person can do rather than on whom a person knows. This government intends to appoint the best people regardless of political affiliation to assist us in the business of government."

We have a number of other quotes from the Premier over the past three years dealing with the patronage-appointment issue. The reality is that the rhetoric just does not line up with the actions and deeds of this government in respect to its appointment process.

We have talked about a number of things on occasion, such as the social assistance review board, and I want to talk about that at some length. We do have, and this was in 1976, an all-party committee report dealing with the appointments process which was supported by the Liberal members of that committee. Granted, it was during a minority situation, but I do not think that should deter the members across the room from considering the position their colleagues took in 1986 and the validity of the comments made in the report respecting the appointment process and the changes that could help us all, and certainly make the government much more accountable to the people in respect

to the appointments they make to agencies, boards and commissions in the province.

I hope that we are not simply going to hear from the Liberal members who are going to be speaking on this issue today some of the defensive pap, if you will, churned out by their speechwriters. I hope we are going to deal in a meaningful way with the recommendations of the legislative committee. If there are some criticisms and some weaknesses that the government perceives in the recommendations of the committee, let us hear about them. Let us bring the report forward. It has never been dealt with by the Legislature. If the government sees some weaknesses there is certainly nothing to preclude amendments or changes in respect of the recommendations, but let us get on with the job of making these appointments reviewed, in any event, and much more accountable to the people of Ontario.

1100

We had another comment from the Premier in June 1985 when he promised to replace the spoils system with the merit system, which in essence is much like what he said in December. The reality is that the government has been on something of a binge of patronage appointments since July 1985. That is the reality if anyone really cares to look at what is there to see. Regrettably, very few in the media have bothered or cared to look.

Unlike what has been happening in Ottawa, where practically every appointment is examined under a microscope by members of the press gallery there, here at Queen's Park our gallery members, with a few exceptions like Jim Coyle, Rosemary Speirs and Eric Dowd, have been content to ignore reality, in my view, and thereby give public credence to the big lie that this regime is squeaky clean when it comes to dispensing patronage favours; or they have done what we have witnessed in today's Toronto Sun by Lorrie Goldstein, probably the best investigative reporter in the gallery, who has spent his time criticizing the leader of my party for commenting on a recent appointment, tearing us apart for what took place in the past and reviewing ad nauseam appointments of known Progressive Conservatives to agencies, boards and commissions in the province. Maybe that is fair ball and perhaps we deserve some of the criticism Mr. Goldstein is directing our way.

The reality is that we, as a party, are committed to the recommendations contained in the 1986 legislative report. We are prepared to support them in this House and support legislation in that direction that the government would



bring forward. That is the reality. We are prepared to support it. If Mr. Goldstein wants to take a close look at us, he and other members of the gallery should also be taking a look at what has been happening since July 1985 in respect to the appointments patronage machine that has been churning away in the back rooms of Liberal Party headquarters and the Premier's office. I think that is fair ball.

Let us take a look at the reality. In the past I know members are quite aware that I have raised a number of questions about appointments to the Social Assistance Review Board. The majority of the new appointees to that board are very clearly associated with and identified as members or supporters of the governing party. We see the print apologists, such as the *Toronto Star* and the *Ottawa Citizen*, having the temerity to suggest that these appointments were open and above board. We have the *Toronto Star* article of November 25, 1987, dealing with this question of the Social Assistance Review Board.

The second-last paragraph is that the government appointments process in respect to SARB is a fair process of public advertisement and impartial selection. In my view, that is real neglect on the part of the author of that article in terms of her responsibility to take a look at what exactly has happened in those appointments. I think it is very accurately reflective of the cursory look the media has given to the patronage network the Liberal Party has built up over the past three years.

Another article in the *Globe and Mail* of January 2, 1987, is written by someone I consider to be an excellent reporter, but this again is reflective of a very careless look, if you will, at the reality of the appointments process. Mr. Sheppard makes mention of how fair the Liberal government has been. One of his examples is that Douglas Creighton, president of the *Toronto Sun* newspaper, "a relentless critic of the Peterson Liberals," has been named to a select panel to advise the Premier on compensation levels in the civil service and for cabinet appointees.

Of course, the reality is that we know whom Mr. Creighton and the *Toronto Sun* supported in the 1987 election. They certainly did not support the Progressive Conservative Party. They supported my friends across the aisle.

That is an indication, in my view, of the rather cursory look the gallery has been giving to what is occurring in the appointments process within the government of Ontario.

I want to talk a bit more about the Social Assistance Review Board process. The government did go through what I think was a charade in terms of public advertising for this position. They advertised across the province indicating some 12 jobs at \$55,000 a year. I gather there were over 1,500 applications for those positions. What happened in terms of the selection process? The people who were ultimately selected for interviews were interviewed in the presence of the assistant to the minister, which certainly lends credence to the fact that political influence played a role.

When we take a look at the final decisions, and we have to acknowledge that a majority of the successful applicants had connections to the Liberal Party of Ontario, I think we have to be pretty darned naïve to believe that is just a coincidence that about eight out of the 12 have clear ties to the Liberal Party of Ontario.

Do members call that a fair process of public advertisement and impartial selection? That is what the *Toronto Star* has suggested it was. Talk about operating with blinders on. They are really not taking a good look at it, or at least most of the members of the gallery are not taking a look at it.

That in itself is bad enough, but the fact is that this government, through its patronage machine, deceived in reality probably close to 1,500 people who believed what the government was saying publicly about opening up the process and basing its selections on merit. They believed it and put in their applications and résumés—very well qualified people, many of them, indeed. What happened? They did not have ties to the Liberal Party, so many of them simply were not given the look they merited. That is something that, again, has been up to this point ignored.

I think that the media have let the Premier off on this one. They have continued to portray him as a straight shooter in terms of political appointments, and I am sure that is going to be reinforced by my friends across the row when they make their comments.

**Mr. Wiseman:** When they try to get into cabinet.

**Mr. Runciman:** Yes, that is right, but the reality is dramatically different from the rhetoric.

Interjection.

**Mr. Runciman:** We have an interjection about what Mr. Davis did. I do not know; the member must have been absent when I made my comments earlier that I am not here to defend—

**Mr. Sterling:** Nothing has changed; that's the problem. 1110



**Mr. Runciman:** Some criticisms are probably justified. What I am saying is that the member's leader has made some very public commitments to open up the process and to make it a merit-based process and system, and he simply has not done it. He is making public statements, getting on his soap-box and saying, "We're squeaky clean;" but at the same time, he has the big red patronage machine in the backrooms in high gear, that is the reality.

We have an all-party committee that has recommended changes. I have said, and I will say it again for the benefit of my friend across the way, that we are committed to supporting that so that governments from this day forward will be committed to that kind of a review process. We support the recommendations of that committee, like the members of his party who sat on it just a year and a half ago.

Again, I do not want my comments to be perceived as suggesting that in respect of the Social Assistance Review Board those individuals who were appointed were not qualified. I really do not know. I hope my comments are not interpreted as a negative reflection on those individuals. They may well indeed be qualified people, and I certainly hope so for the sake of the individuals appealing before them and the municipalities administering the social assistance programs across this province. Time will tell.

I think that certainly there is a role for political appointments. I am not and I am sure many of my colleagues are certainly not dead set against the idea of patronage appointments. I think it makes some degree of sense that people who share your views and philosophy are the people you want to have, to a substantial degree, participating in those agencies, boards and commissions of the government. At the same time, I think it is for the benefit of all taxpayers and all citizens of the province if we open up the system to ensure that appointees have qualities that are useful to those boards and commissions and are not there just because of a history of service to the party.

I think it takes a load off the government as well. It is not going to have to be subjected to this kind of criticism as the next three years go by. It is going to have this process available. All parties are going to have the opportunity to sit down and review the appointments recommended by the Lieutenant Governor in Council. It is eminently fair, as the member's colleagues agreed just a few short months ago. What could have changed in the interim to have them saying something different today? I am going to be very optimistic

that what we hear today is going to be supportive of that unanimous recommendation of 1986.

On my way in here, the member for Durham-York (Mr. Ballinger) and I were briefly speaking about the resolution, and I inquired as to what position the Liberal Party, the government party, was going to take. He indicated this was a totally free vote. "We do not receive any direction, Bob." I will buy that when I see the results of this vote, because let us face it, if they reject this today, they are rejecting the recommendations of their colleagues from 1986, they are rejecting the recommendations of the other two parties in this Legislature and I think they are rejecting the wishes of the people of this province.

They want to see the process opened up. We have seen the criticism that Mr. Turner was subjected to in 1984 because of the flood of patronage appointments when Mr. Trudeau was leaving office and Mr. Turner was succeeding him. We have seen the criticism Mr. Mulroney has been subjected to. I think people right across this country, and not just in Ontario, are sick and tired of these blatant appointments where merit is open to question. I think we can remedy that in Ontario. We can open up the process. The government has talked about no walls, no barriers, opening this up to the public, opening this government up to the public. Let us see, just once, that it matches its deeds with its promises.

We have had a series of broken promises, and up to this point in time this is just another one of those broken promises. I am again urging my colleagues. I know my colleagues to the right are going to be supporting this. They are going to be consistent with the recommendations of the report. I urge my colleagues across the floor to do likewise.

I gather I am going to have a little additional time and it may be beneficial to tack that on to the end so I can respond to the comments that come forward, especially from the government side of the House.

**Mr. Cordiano:** I just want to say that I will attempt to be as nonpartisan as possible in the spirit of what my colleague had said earlier. Here it goes; let me try.

I want to refer back to the committee report tabled in June 1986. I gather that is what my friend is referring to. I just want to read a passage from that report, because I think it is important to note that while there was a consensus taken on the report, there was not necessarily agreement on all the recommendations made in that report. I want to read the paragraph which states:



"The recommendations contained in this report represent a consensus of opinion rather than complete agreement on every issue that was before the committee. While each member of the committee may not agree with every recommendation, your committee is pleased to present a report that each member can support."

There you have it. There were members of our party on that committee who supported the overall consensus that was reached, but they certainly did not agree with each and every one of the recommendations made in that report. I just point that out for clarification.

Let me carry on from there, because there are a number of issues I would like to touch on with respect to the report. For example, let us deal with the principles in the report, the real heart of the matter, as I would like to put it: first, that the process be open; second, that there be fairness and equity and that appropriate qualifications be a central component of each of these positions to be filled; and, finally, that there would be some accountability.

Let me deal with each one of these three principles, on which this report, issued by the committee which my friend was talking about earlier, was based.

Openness: I would say that with the number of appointments we have made, there has been an open process. We receive almost daily hundreds of résumés for each of the positions which are available. I want to point out that at this time there are something like 4,800 order-in-council appointments the government can make. If you use the fact that each one of these appointments is for a three-year period, then each year you would be talking about approximately 1,500 appointments.

The member referred to the Social Assistance Review Board. I was parliamentary assistant at that time for Community and Social Services. I want to look at that process because it is very pertinent. He says the majority of the appointees were Liberals. I am going to deal with that in just a moment, but let me look at this fact. There were 1,800 applicants for 12 positions, 1,800 résumés. Each one of those résumés was screened and each one of those résumés was given some consideration. There were 70 interviews, no less, 70 three-hour interviews for each one of those applicants that made it past the first stage and into the second stage. Finally, 12 members were selected.

I would like to look at the composition of that board, pointing out that at least one of the members—and there were many more who

certainly were not Liberals; if some of the members were Liberals they certainly were well qualified. I am not saying that none of these people was a Liberal. You have to understand that the majority of people in this province are now Liberal, so some of them are going to come forward. A person of note who is not a Liberal and a very high profile person on that committee, my former colleague, the member for Bellwoods, Ross McClellan, was selected for this committee.

There are a number of appointments this government has made, and we stand up for each one of those appointments. We have been as open as possible in screening the applicants. We have been as nonpartisan as possible. We have selected a number of very high-profile people for various positions in this government—high-profile Tories such as Bob Elgie and a number of others from the New Democratic Party, just to name a few. I will not go through the whole list because I know some of my colleagues will mention those other lists. Some of my colleagues will mention those other members and I am sure they will get the message.

1120

We have certainly been as open and as fair and as nonpartisan about this process as one could ask. I do not think there has been a government that has been more open and nonpartisan. The people we have appointed have come from all walks of life, from all parties. This process has been a very fair one. We have appointed people to represent a broad cross-section of this province, something that was not done before. I speak from experience. The new face of Ontario is well represented in this government. There have been a number of people from various backgrounds, various walks of life and all kinds of professions who have been appointed to various boards, agencies and commissions of this government. That is an undeniable fact.

If as my colleague pointed out the media have given a cursory look at some of these appointments, could it be that they perceive this process is a fair one? Is that a possibility?

**Mr. Sterling:** There is no process.

**Mr. Cordiano:** Come on. There is a process that is in place. We do have—

**Mr. Sterling:** You've published a list; big deal.

**Mr. Cordiano:** Let me deal with the summary of the recommendations from the committee report. The government makes available a list of potential appointments. This government has



done that. We have fulfilled 12 of the 20 recommendations put forward by this committee report. We have carried those out.

**Mr. Sterling:** Tell us about recommendations 8 and 9, where the guts of the report are.

**Mr. Cordiano:** I will deal with those in just a minute. We have dealt with all of the recommendations that do not specifically refer to the review process. I will tell the members why: because it is unworkable.

**Mr. Sterling:** The federal Parliament is doing it. The House of Commons is doing it.

**Mr. Cordiano:** Can the member imagine dealing with 1,500 appointments each year? Can he imagine a legislative committee sitting down and going through a review of each of these appointments? I think that is what the member is asking for, and I think it would be impractical, virtually impossible, for all the applicants who come before the government now to be dealt with by the committee. It would be an unworkable and untenable situation.

**Mr. Sterling:** There are more in the federal Parliament, and they are doing it there.

**Mr. Cordiano:** They are certainly doing it. We will find out how the process is working. The majority of members on that committee happen to be Conservative.

I do not know that the process the member is talking about—that is, that the committee would screen these applicants—would depoliticize what happens. That is a bogus review process that we are talking about in Ottawa, a very bogus one because, as I say, the majority of members on that committee will still be Conservative.

**Mr. Sterling:** That's what we're asking for here. Give us the bogus process.

**Mr. Cordiano:** It is not going to solve the problem. As I say to my friend here, it will not solve the problem. We have been open. My friend talks about accountability; he can bring whatever he wants to this House and stand up in this House and be heard by all, saying that we have been unfair or that we have been whatever he wants to say, criticizing this government.

**Mr. Wiseman:** Come on; you don't really believe that.

**Mr. Cordiano:** He is saying the House is not accountable. Is he saying that we are not going to be accountable from now on in answering questions, putting before the Legislature whatever proposal he would like, whatever criticism he would like of the government of the day? That is what this Legislature is all about.

I say to the members that the situation which the member is talking about, a review process, would be very unworkable, untenable and highly impractical. What the member is talking about could not be carried out for 1,500 appointments. It just could not be done. It would be bogged down.

**Mr. Sterling:** They are doing it in Ottawa; they are doing more than 1,500.

**Mr. Cordiano:** I do not think so. As I say, it is a bogus committee which is not working. I do not believe that it is going to depoliticize the—

**Mr. Daigeler:** On a point of order, Mr. Speaker: Will you please rule whether it is in order that the member for Carleton keeps interrupting the member who is speaking.

**The Deputy Speaker:** Order. The chair recognizes the member for Lawrence.

**Mr. Cordiano:** My friend the member for Carleton can speak until the cows come home, but I just say to him that I do not mind his interjections; they spur one on, especially when it is the member for Carleton.

Anyway, let me just sum up and say to the member for Leeds-Grenville (Mr. Runciman) that we have given careful consideration to the recommendations made by the committee and we do not think some of these recommendations are workable. The review process would be a very impractical thing to go to a committee. This government has carried out a number of the recommendations of that committee. We have a data bank, which is in effect now. The process is more open. We have a broad cross-section of Ontarians being appointed to these boards. I think that is more than the former government or any government before it can say.

**Mr. Philip:** The comments of the member for Lawrence (Mr. Cordiano), that somehow this motion should be rejected because this government is somehow less corrupt than the previous government, are so completely erroneous that I do not think they bear any kind of comment or any kind of respect. That is basically what the member is saying.

He is also saying that somehow by doing a head count we are dealing with the issue. In other words, if we deal with a head count, and say X number of Liberals, X number of Conservatives and X number of New Democrats have been appointed by this outdated system, somehow we are dealing with the process problem that this resolution addresses itself to. Of course, it does not, because if members look at some of the European systems that use the head-count system



of appointments, they have some of the most corrupt, most patronage-ridden, most inept systems of appointing people into high places of responsibility. It does not work there and this kind of system does not work here.

Appointing three good people does not mean that somehow the government is doing a service to the public because it is allowing a whole bunch of other incompetent people to be appointed or to go to the trough. That simply is an erroneous idea and does not deal with the essence of the report the motion addresses itself to.

I would like to deal with this in the context of what I think is happening in North America, Australia and Europe at the present time, a process happening in this country to a very great extent and to the credit, I think, of members of this House. Perhaps Ontario is helping to lead the way, although the federal House of Commons certainly has been doing an awful lot.

As chairman of the standing committee on public accounts, I know we have a great number of public servants appearing before me, usually in distress because they are in some kind of trouble. But let me share one of the interesting things I have discovered. I just had a comment from the member for St. Catharines-Brock (Mr. Dietsch) this morning about my sending a note to him about the excellent job he was doing as a government member on that committee in dealing with some sensitive issues and in asking some tough questions. The public accounts committee is struggling with the way of operating in a nonpartisan way so it can deal with issues that are of concern to all of our constituents, whatever our political persuasion.

What we have also in the standing committee on the Ombudsman is a committee that has operated for the most part in a genuinely nonpartisan way, maybe one or two members excepted. Certainly the chairman, who happens to be a Liberal, has operated in a completely nonpartisan way. I think the committee is operating very well. There is a trend in that committee also to deal with issues in a nonpartisan way in a complex society.

The member for High Park-Swansea (Mr. Fleet), who is in the House, chairs a committee and has been doing an excellent job; an excellent report, I think, will be coming forward from his committee dealing with private bills and regulations. We are in the process of drafting what I think is a very constructive, positive report on how there can be more accountability in terms of regulations, which affect so many people's lives, that the bureaucracy can often draft without the

knowledge of the minister who is responsible for a particular ministry. These can often affect people in a way that is even more dramatic than the legislation we may debate in this House.

The standing committee on the Legislative Assembly is preparing a report now on ways of making the Legislature more workable, but also making the bureaucracy more accountable. We see this across the country. What we see is a pattern of concern about accountability. I believe it stems from the complexity of society. It does not stem necessarily from a whole bunch of politicians deciding, "Gosh, wouldn't it be nice to be nonpartisan for a while?"

What is happening is that society is becoming so complex that many of the issues cross party lines. There is no Liberal solution to a particular problem, there is no Conservative solution and there is no New Democratic Party solution. There is a solution that reasonable people, looking at a problem, can bring themselves to and then hold the bureaucracy accountable for what is a reasonable solution to a particular set of problems.

1130

On May 9, I have the honour of being the guest speaker at a convention in Montreal of the Financial Management Institute of Canada. I will not recycle my speech, but I will just give you the headings, the kinds of things they asked me to address and which I will be addressing. Who is being held accountable? What should the standing committee on public accounts hold the government accountable for? To whom is the government accountable? How is accountability ensured?

This resolution is part of that process. It says: "Look, people can operate in a nonpartisan way and appoint good people who will in fact be responsible for enacting the will of the Legislature, the will of the people who have been elected to serve their interests."

Among the conclusions and recommendations which I will be dealing with in the Montreal convention will be certain processes that we are looking at in the standing committee on public accounts to make it even more nonpartisan, to make government members feel that they are there not just to defend the government but to deal in a reasonable way with problems that exist in any bureaucracy under any government of any political stripe.

In the United States—and I am just back from Washington where I met with several congressional committee chairmen—we saw that the big issue in Congress is oversight. You look at one



committee after another and they are dealing with the problem of oversight. What happens when legislators who are democratically elected have passed certain things and the bureaucracy or the administration manages to subvert that? That essentially is the question. The member for High Park-Swansea will confirm this. That is the major question that is being dealt with in his committee at the moment.

What we have is a system in which we are looking at different ways of dealing with a complex society that has created a huge government, many agencies and many things that are then not accountable. At the top of these agencies we have people who are appointed who must have integrity but who also must have accountability, in the United States to Congress—and that is why they have such an elaborate system of screening appointments—and in Canada to Parliament, not to the government but to Parliament. That is what this resolution deals with.

This matter is of such importance across the country that in July the mover of this motion and I, along with the chairmen of two other public accounts committees and Aileen Nicholson from the Liberal Party in the House of Commons, who is the excellent chairman of the public accounts committee there, will be presenting a major report on how to deal with it from a public accounts point of view. That was a request of all of the provinces—not just one but all of the provinces—that wanted to deal with the issue of how to make things less partisan and more workable and how to make the bureaucracy more answerable.

This is part of the question. I say to my friend that one way of dealing with this is to get this report into the House. The member for Lawrence says that it is a consensus report, it is not an absolute majority report. There may be some dissenting opinions on one item or another; and that is fair, society is complex. I do not know any major important issue where members of my own party can agree on every item, let alone members of the House. We all have our own backgrounds, our own professional development, our own experiences, that allow us to look at complex problems in just a slightly different way. But the way is not to shirk it, as the member for Lawrence would say, saying: "Well, it won't work. It seems to work in Ottawa, but it can't work here. It seems to work in Australia, but it can't work here." It works in British Columbia in the most polarized parliament in this country, where members of the opposition and members of the government will not even stay at the same

side of a cocktail party together, and yet they have developed a system in the Ombudsman's committee where the Ombudsman is appointed by consensus—not by majority vote but by consensus. And it worked very well, thank you.

I say to my friend that if it can work in the most polarized province, British Columbia, it certainly can work in Ontario, which is less polarized. This is part of a process that is ongoing. Do not stand in the way of a historical process, one that is so necessary for the people of Ontario.

**Mr. Sterling:** As a member of the standing committee on the Legislative Assembly which drafted this particular report, I want to rise and speak in support of it.

Let me say this at the beginning. I do not think that people who get involved in politics in an open fashion should be discriminated against when it comes around to appointing those people to agencies, boards or commissions of this government or of any other government. I do not think that we should be embarrassed, as politicians, to appoint our own kin to boards and commissions. Therefore, I do not object when the Liberal government appoints a Liberal to an important post. I just want them to be up front about it and open, and acknowledge that they are doing the very same thing that we did when we were in power for 42 years.

What this particular report does is take on the public's objection, the legitimate objection, that incompetent people are being appointed to various positions, be they Liberals, be they Conservatives or be they New Democrats. That is what the committee is trying to prevent, and in fact it is trying to help this government appoint competent people to important posts.

I think that when a new government goes into power, as we had the Liberal government go into power a few years ago, it has every right to appoint Liberals to a number of positions. If, as they have, the people of Ontario have elected a new group of people, represented by the Liberal Party to represent them, then part of that mandate is to have its way of thinking—if anyone can ever discover what it is—and it should put its own people in those important positions so that its philosophy, its way of thinking and its way of governing can filter down into these very important bodies that it makes appointments to.

I have no objection to them appointing—in fact, I think in a lot of ways, this government has been fair to a number of former colleagues in this Legislature, for instance. They have appointed a number of them to responsible positions in a nonpartisan way and I congratulate them for that.



But they are missing the point with regard to this particular report, and I wish they would talk to some of their federal colleagues in the House of Commons, because our federal Progressive Conservative Party, which we agree with on this particular issue, on all fours, has implemented under the present government—although it has not received much notoriety—a review process for every appointment that is made by the cabinet of Canada; that goes before committees of the House of Commons.

Here in Canada every appointment is reviewed by various committees, if they so desire. The system is working, and the system that they are using is very similar to this system, except that their system has the opportunity for greater review than this system. What this system does is permit a committee first of all to examine an appointment if it wants to examine it. I expect that in most cases, as is the case with the Canadian parliamentary experience, most appointments would not be reviewed because there would just not be time.

1140

Secondly, under this particular system members of a committee can do only one or two things. They can say, "We concur with this appointment" or "We do not concur with this appointment." They cannot say, "This guy is a Liberal hack," "This guy is a Conservative hack" or "a New Democratic Party hack. He is incompetent. He is bankrupt. He or she has nothing to offer." All they can say is "We concur" or "We do not concur" and they report to the House.

Now, the Premier and his cabinet do not have to accept what the committee says. They can stick with that particular appointment. So the process of the review, put forward by the committee as a matter of fact, is a weaker process than the one that is place in Ottawa now.

Therefore, what we are asking for here was approved by all of the members of that committee, and while the specious argument was put forward before that all members of the committee did not agree with all parts of it, there is an obligation on a member of a committee to write a dissenting report if, in fact, he differs with the guts of that particular report.

When we talk about the guts of this report, we are not talking about the phoney argument the Liberals put forward that they have done a lot of things by publishing a list of the agencies and that they have set up a place where you can apply. Big deal; that was done before under our government. We did not advertise and we did not

publish a list, but the step that they have taken is virtually nothing. We agree with that step and we should have done that, but the guts of this report is a review process.

We had four Liberals sign that. We had the member for Carleton East (Mr. Morin), and Mr. Newman who is no longer with us in the Legislature. We had the member for Chatham-Kent (Mr. Bossy). We had the now Minister without Portfolio responsible for disabled persons (Mr. Mancini) also sign this particular report or agree with this report.

**Hon. Mr. Mancini:** On a point of privilege, Madam Speaker: So that the honourable member does not in any way mislead anyone in the House, particularly the new members, it should be stated that all the former members of that particular committee did, in fact, sign the report, with the waiver that we did not necessarily agree with the report in its entirety.

**Mr. Sterling:** There is an obligation on us here in the Legislature if we want to be honest with the public. One cannot sign a report and say later, "I did not agree with the guts of it anyway, because I did not agree with all of it." That is phoney.

I would like to go to one other point and I hope the Premier and perhaps some of the people within his office would take this into consideration. I think it is important and I think the members of the committee felt it was important that the review process be put into place in order to maintain some element of political integrity in terms of the appointment process.

In the Liberal political party and the New Democratic political party and in the Conservative Party, we all have people who believe that because they have been associated with us in some manner they have earned an appointment to a very important post. When they come forward to the Premier or to any one of the Liberal members, it is very difficult, with somebody who has worked very hard, let us say in a political campaign or has worked very hard for the party in another manner, to turn that person aside and say, "Joe, you really did a good job for us but you are incompetent." You cannot really say that to a person who is your friend and who has supported you but who has not got the skills that are necessary in order to take on an important appointment.

Therefore, once you have a review process in place it does two things. It makes the government of the day much more careful how it appoints people and whom it appoints, and it gives it a very much needed out to say to people who have



been good to the party and good to them in a political manner: "Joe, you have done a good job, but you are going to be put in front of a committee. You are going to have to prove yourself in front of a committee. You can be cross-examined and we do not want to subject you to that."

**Mr. Black:** It is a pleasure for me to participate in this debate. I am pleased that the member for Leeds-Grenville in introducing his resolution noted that he was trying to act in a nonpartisan way. I want him to know that I accept that from him, although I must tell him that there will be many members of this House who will have difficulty with that. I do accept that. We recognize his intentions are the best.

There may be some people who will ask, for example, "As a member of the government in his previous life, did he introduce a similar kind of resolution at that time?" There may be some who will ask, "As a member of the executive council, did he work within the government to bring about the changes he proposes today?" I am not one of those. I will not ask those questions. I take the member at his word. I accept the fact that he is acting in a nonpartisan way, but I want him to know that I cannot support his resolution and I want to tell him why I cannot support his resolution.

First of all, I want him to know that the resolution is no longer required. There was a time in the history of this province when there was a need for such a resolution. We had 42 years of Progressive Conservative government and let me tell the members that during that time there was a need, and it was a need that was well recognized in a government that for 42 years fuelled its election program at the patronage pump. Now the question we must ask is, where was the member for Leeds-Grenville during that period of time with his views? Indeed, where was the member for Carleton (Mr. Sterling) with his views during that period of time? We know where they were.

**Mr. Sterling:** Mr. Speaker, on a point of order: This particular document on which the resolution is based was done in 1976 and I believe the Liberal government has been in place at least since that date.

**Mr. Speaker:** That is a point of information, I gather, not a point of order. The member may continue.

**Mr. Black:** I did not realize the Liberal government had been in power since 1976; however, I am prepared to accept that.

We know where the member for Leeds-Grenville was during that period of time. We know where the member for Carleton was during that period of time. They were getting an insider's view. They were looking at the question of patronage from a close-up perspective.

There is another reason I am not going to support this resolution. This government has been sensitive to the patronage issue in a way that no previous government in this province has been able to claim it has. Unlike previous governments in this province or unlike our current cousins down in Ottawa, we have given some sunshine and some fresh air to the appointment process.

We have placed an emphasis on ensuring that we have the brightest and the best people. I must tell you, Mr. Speaker, that our attempts to appoint the brightest and the best have been made somewhat easier in recent years because the people of Ontario solved the problem themselves: they made sure that many of the brightest and best from the opposition parties are now available for government appointments.

I want to read into the record some of those appointments. Our friends in the Progressive Conservative Party would have us believe that our record is similar to theirs. I want to make it very clear that our record is not in any way similar to theirs.

There are names such as Joanne Campbell on the Social Assistance Review Board, Odoardo Di Santo on the office of worker adviser, Donald MacDonald as chairman of the Commission on Election Finances, Elie Martel on the Environmental Assessment Board, George Samis on the Ontario Highway Transport Board, John Sewell on the Metropolitan Toronto Housing Authority and Dorothy Thomas on the Rent Review Hearings Board. Those are not names which are familiar to all Liberals, but they are familiar to people in the New Democratic Party.

There are names such as the Reverend William Davis on the rent review board; Frank Drea as chairman of the Ontario Racing Commission; Robert Elgie on the Workers' Compensation Board; Mickey Hennessy on the Assessment Review Board; Morley Kells on the rent review board; and Frank Miller as chairman of the Ontario International Corp. board of directors, a former leader of the Progressive Conservative Party, a man who, to their everlasting shame, they could not find a position for or could not give recognition to.

I want to make the record very clear. We will not be associated with previous governments of this province in terms of the way we handle appointments.

A third reason we are unable to support this is because what is being proposed is unworkable. As my colleague the member for Lawrence has pointed out, there are over 2,500 order-in-council appointments. Many of those are for three-year terms. That would mean that an average of 800 names would have to be reviewed annually by committees. I have sat on committees with the member opposite and I know the kind of workload they shoulder when they sit on those committees. I know how busy they are. I would not want anything to add to that workload, which they find so heavy.

We have been offered the alternative, the model of the Mulroney government. We have seen the record and we have seen the practice of having a committee to review appointments. I am somewhat shocked, I must say, that members of the provincial Progressive Conservative Party want to associate themselves with that government and its record of patronage appointments. That comes as a shock to me, as I am sure it does to many members of this Legislature.

I want to point out that in introducing his resolution, the member for Leeds-Grenville made reference to statements by the Premier in 1985. I want to stress to everyone in this House that if we want to make comparisons, we would be happy to compare the record of this government and the public perception of the record of this government in terms of patronage, to any government which has previously governed Ontario or to any government which previously governed or presently governs Canada. We will be only too happy to have that comparison made by any unbiased source. I am sure that all members of this House will be as pleased to see the results of that comparison as anyone.

In conclusion, I want to tell my friends opposite that this will not depoliticize the process. Not all committees are nonpartisan, as much as people might like to think they are. It has been known in the history of this House, and in the not-too-recent past. Although some of us were not members at that time, we read with great interest in the press how reviews undertaken by committees of this House had been conducted in a supposedly nonpartisan fashion. I think we would question whether, in fact, that was done.

We would argue, for example, that the American model which has been presented to us

and held up to us on occasion does not depoliticize the process. We would point out that we have all had the experience in recent months of watching the appointments to the US Supreme Court and watching what happens to individuals who fall victim to that process.

In conclusion, although we recognize that the member for Leeds-Grenville is a nonpartisan person, we recognize that his motives are the best—although his record may not be as clean as he would like to suggest—we are unable to support his resolution.

**Mr. Speaker:** The member for Beaches-Woodbine. I believe there are about three minutes available.

**Ms. Bryden:** In those three minutes I want to express my support for this resolution. I think it is a very important part of opening up government. You will recall that in May 1985 the New Democrats and the Liberals signed an accord which facilitated the change of government. Open government was one of the important parts of that accord. Let me read what it said on that subject: "Establishment of a select committee on procedures for appointments in the public sector to recommend changes in the system of recruitment and selection of public appointees."

The government did follow through on appointing the select committee. We now have the report of the committee—it is a standing committee, rather than a select one—and it is time to move on to the next step of implementing that report, because we will not have open government and the removal of the appearance of patronage in appointments until we do have the process set forth in the committee report.

I think it is time that we got into step with what is being done in Ottawa, in the United States and in other jurisdictions, reviewing all appointments by order in council to agencies, boards and commissions, and even crown corporations where we have a majority share ownership.

I say full speed ahead, and let us make sure that these positions are advertised so that the public knows when the vacancies occur and that the qualifications, if there are specific ones, are set forth and the rates of pay are available. I think Topical would be a good place to advertise every two weeks what vacancies are coming up, so I urge that as a possibility for the committee to consider.

**Mr. Speaker:** The member for Leeds-Grenville for one and two-thirds minutes.

**Mr. Runciman:** Really, Mr. Speaker, I thought I had more than that. I had set aside three



minutes. Just as a point of order, I requested three minutes at the outset.

**Mr. Speaker:** A member can certainly request. However, if more than the allotted time is used up, then the remaining time is available.

**Mr. Runciman:** I will just try to deal briefly with the comments made. The member for Lawrence was certainly grasping for straws suggesting that there was a way out in terms of the wording of that report. He had a very long reach indeed in implying that the majority of Ontarians are Liberals based on the results of the last election. I certainly was not talking about their political voting patterns; I was talking about very clear connections to the Liberal Party of Ontario.

We talk about the process being unworkable. I am suggesting if the government wants a review process we can make it workable. We do not have to review all the 1,500 appointees in terms of interviews and appearing before the committee. The process can work. That is an argument that does not stand up to scrutiny.

Interjection.

**Mr. Runciman:** There are more weasel words from that member who signed the report; now he is trying to back out of it.

The member for Muskoka-Georgian Bay (Mr. Black) said there is no need, but as was emphasized by the member for Carleton there was clearly a need in 1986, supported by members of that party. He talks about the number of nonpartisan appointments. They are window-dressing; we know they are window-dressing. I am not prepared to go back over the previous years. I can mention Jim Breithaupt, a very high-profile Liberal whom we appointed. There are all kinds of them.

**Mr. Speaker:** The member's time has expired.

**Mr. Runciman:** This government has a shabby record.

**Mr. Speaker:** Order. That completes the allotted time for debate on the two private members' items.

#### DAY OF MOURNING

**Mr. Speaker:** Mr. B. Rae has moved resolution 18.

Motion agreed to.

1204

#### ORDER-IN-COUNCIL APPOINTMENTS

The House divided on Mr. Runciman's motion of resolution 18, which was negated on the following vote:

#### Ayes

Allen, Brandt, Breaugh, Bryden, Charlton, Cooke, D. S., Eves, Farnan, Hampton, Harris, Jackson, Johnston, R. F., Laughren, Mackenzie, Marland, Martel, McLean, Philip, E., Pollock, Pouliot, Rae, B., Reville, Runciman, Sterling, Villeneuve, Wildman, Wiseman.

#### Nays

Ballinger, Black, Brown, Carrothers, Cleary, Collins, Cordiano, Daigeler, Dietsch, Elliot, Faubert, Fleet, Kozyra, Lipsett, Lupusella, MacDonald, Mahoney, Mancini, Matrundola, McGuinty, Miclash, Nicholas, Nixon, J. B., Offer, Owen, Pelissero, Poirier, Ray, M. C., Roberts, Sola, South, Stoner, Wilson, Wrye.

Ayes 27; nays 34.

The House recessed at 12:08 p.m.

## AFTERNOON SITTING

The House resumed at 1:30 p.m.

## MEMBERS' STATEMENTS

## PLASTIC EMI SHIELDING INC.

**Mr. Breaugh:** I want to say a few words today about a company in Bowmanville called EMI. I know several of the ministries are involved in this. It is certainly a rather strange situation. It is a company which has manufactured hoods for computers rather successfully, we thought. The province has, I believe, about a \$3-million investment in this firm. There is an air of secrecy surrounding what is happening with it now. We know the company had some labour and management problems. We know the company has closed its doors. We know the company is in receivership.

What we do not know is what the role of the province is in all of this. We do know, for example, the Ministry of Labour is obviously involved in this matter. We know several other ministries are a party to some kind of negotiations.

I am asking today for the Minister of Labour (Mr. Sorbara), in particular, to take the lead and to make a statement as soon as he can, so that the people who are affected by this plant closure have some knowledge of what is going on. It is complicated, we admit, by the fact that the people who own the company seem to be somewhat confused themselves about what they need, what they want and what a government can do; but I am asking today for the Minister of Labour to take this matter under consideration and to respond as quickly as he can with the details of what precisely the province is doing now and what it should do to rescue this very important operation in a small town like Bowmanville.

## RECYCLING PLANT

**Mr. McLean:** A recent announcement that a recycling plant employing 350 people will be built in Whitby has been called "a boon to environment and the pocket" by a spokesman for the Recycling Council of Ontario, which advises the provincial government on waste disposal issues. This plant, which will remove ink from newspaper, could use up much of the surplus 300,000 tonnes of used newsprint per year which otherwise would be dumped in our landfill sites. These plants also create jobs.

The minister should throw his support and assistance behind more such plants which could recycle plastic, glass and aluminum, as well as paper. The minister must be aware that recycled plastics can be used for strapping for shipping boxes, plastic lumber for fences and boat docks, paint brush bristles and fibre filling in jackets and pillows.

Recycled glass can be made into new bottles, glasphalt for road paving, bricks, tiles and reflective paint for road signs. Recycled aluminum can be used for new aluminum cans and other items such as lawn chairs, window frames or castings for car parts. Recycled paper can be used for game boards, record jackets, egg cartons, book covers, paper matches, gift boxes and a large percentage of grocery store food boxes.

A similar plant owned jointly by Quebec and Ontario Paper Co. has been in operation for several years.

## STUDENT RESIDENCES

**Mr. Adams:** Only the community colleges in northern Ontario are authorized to establish and operate student residences. This is a regulation which is out of phase with the province-wide, national and international roles of most, if not all, of Ontario's colleges.

Permission to establish student residences would enhance the status of the colleges of southern Ontario, would provide a valuable service to out-of-town students and would add a new dimension to college life. In addition, in many of the smaller college towns, the availability of student residence space would relieve pressure on much needed low-income housing. In short, authority to establish residences would be a simple, progressive step towards allowing our colleges to further strengthen their place in the province's education system.

I urge the Minister of Colleges and Universities (Mrs. McLeod) to give all community colleges in Ontario permission to establish, and where necessary operate, student residences.

## HOSPITAL FUNDING

**Mr. Farnan:** I wish to bring to the attention of the Minister of Health (Mrs. Caplan) and this House the totally unacceptable funding situation under which the Cambridge Memorial Hospital is being asked to function. The hospital administrator, Mr. Robertson, in a recent press confer-



ence asserted, "We are reaching the stage where we cannot continue to operate at the continued level of government funding."

As of March 31, the hospital had a deficit of \$1.8 million. Unless the government provides the deficit funding, hospital spokesmen are predicting that they may have to close beds and shut down some of the services presently provided.

The minister must be aware that the population of Cambridge is growing dramatically, with increased demands being placed on all hospital services. According to Mr. Robertson, the hospital has run out of answers and money.

The consultants hired by the province to review operating efficiency have concluded that the Cambridge hospital "seems to be justified in providing the services that it is and is operating efficiently."

This information has been in the hands of the minister for some time. Surely the hospital administration should be immediately informed, at the very latest when it meets with the ministry on April 19, that it will receive the \$1.8 million. The minister cannot afford to stall.

Failure to do so would be tantamount to forcing Cambridge hospital to break the law. The minister must surely be aware that the government legally requires hospitals to provide certain services. Without the \$1.8 million necessary to provide these services, it is impossible for the Cambridge Memorial Hospital to maintain its present quality of care.

### NURSING HOMES

**Mr. Wiseman:** I would like to bring to the attention of the House the very serious problem of improper funding of nursing homes. I know from meeting with operators in my riding that the situation is causing grave concern in two nursing homes in my area, Riverview in Smiths Falls and Almonte Nursing Home in Almonte.

I also know this problem is not limited to Lanark-Renfrew. It is a worry everywhere in the province. As most members know, there are waiting lists for chronic care beds all over the province, and because of the lack of space nursing homes are being forced to admit chronic care patients. These patients require more looking after, in most cases, than do extended care patients; yet the government provides the same \$58.53 per day for food and nursing care for these people as it does for those more able to fend for themselves.

I sincerely believe we are doing our people a great disservice with this practice. I call upon the

government, the Premier (Mr. Peterson) and the Minister of Health—who I see is talking to the Treasurer (Mr. R. F. Nixon) at this time; a good opportunity to get some money—to rectify this unacceptable situation.

### CROATIAN NATIONAL DAY

**Mr. Sola:** In Croatian history, April 10 is a day of great significance. On that day in 1941, after 839 years of foreign occupation and control, the people of Croatia realized their dream—freedom.

In the face of an Axis invasion, the Croatian people, en masse, refused to defend the tyrannical Yugoslavian regime that had been imposed upon them after the First World War. Instead, they proclaimed their independence and even dared to outlaw the Nazi Party. In opposition to the Axis occupation, many Croats began resisting the foreign troops, and soon Croatia had the largest anti-Fascist resistance in the world, some 280,000 strong. Meanwhile, the much-heralded Tito could muster no more than 10,000 into his ranks.

It is significant that today Croats throughout the world, including those who fought on opposing sides during the war, recognize, celebrate and accept April 10 as the most significant date of their heritage.

This weekend, Canadians of Croatian descent will celebrate this date. While enjoying the advantages of our adopted home, we would hope that the most cherished elements of our Canadian heritage—freedom, independence and self-determination—were available to all the subjugated peoples of the world.

Too often, this event is taken out of context and misunderstood.

### LABOUR DISPUTE

**Mr. R. F. Johnston:** I want to bring to the attention of the members of the House the 11-week strike at Lily Cups in my riding, a company which for 35 years has been operating there with only two small work stoppages. It is now 11 weeks long and it is a harbinger of free trade woes to come on the labour front, and I think members should all know about it.

1340

A company, Fort Howard from the United States, which is used to working in right-to-work states, is taking away six weeks of holidays from its workers, has unilaterally reduced the work week and has taken away floating holidays retroactively. I ask the Minister of Labour (Mr. Sorbara) if he will not pull in that company and



explain to it that coming here union-busting, and bringing the United States approach to labour legislation, is inappropriate in Ontario.

## STATEMENTS BY THE MINISTRY

### CHILD CARE

**Hon. Mr. Sweeney:** I have two statements today. The first one refers to direct grants for child care.

I wish to bring members up to date today on the status of direct grants for child care centres. As members will be aware, last June I introduced the government's comprehensive plan entitled *New Directions for Child Care*. In that paper we announced our intention to provide direct grants to nonprofit child care centres beginning in the 1987-1988 fiscal year. I am pleased to advise the House that cheques are now being issued to more than 1,600 nonprofit day care centres and private-home day care agencies across the province. These cheques cover the period between January 1 and March 31, 1988. This expenditure is cost-shared by the federal government under existing legislation.

At the time of our announcement, we also indicated our desire to provide equivalent direct grants to the profit-making sector. We said in our document, "The province is prepared to extend these grants to the existing commercial sector, provided that the current federal restrictions are removed."

Last December, along with my counterparts from other provinces, I met with the federal Minister of National Health and Welfare to consider a new national child care strategy. The Canadian government agreed in principle to share the cost of direct grants to the for-profit sector and the Ontario government later indicated its desire to begin these grants on April 1, 1988.

I have repeatedly, but unsuccessfully, sought guarantees from the federal government that cost-sharing of direct grants to the for-profit sector would be retroactive to April 1. While the national government has indicated its intention to introduce a new child care act this June with the degree of retroactivity we have requested, it is unable to offer any guarantees of the passage of that legislation at this time.

This puts Ontario in a very difficult position. Providers of for-profit child care are expressing alarm. Some are already reporting the loss of staff to the nonprofit sector, which is able to pay higher salaries using the very direct grants that we are now distributing. Parents who have made the decision to place their children in a profit-making centre fear an erosion of the quality being

offered to their children as the two sectors compete for capable staff in an environment where the nonprofits are more richly funded.

In the absence of federal government movement on its legislation, Ontario's child care system as we know it is threatened. A large number of spaces, some 40 per cent of the total, are at risk. We have said repeatedly that we will extend direct grants to the existing for-profit sector only if the federal government restrictions are removed, but our government will not stand by and risk the loss of the services being provided by this for-profit sector. Accordingly, I would like to assure members that Ontario is prepared to proceed with its share of the direct grants to existing commercial child care centres retroactive to April 1, 1988.

The Ontario government recognizes there are limits on what it can do on its own. Direct grants to individual private centres will only be the equivalent of 50 per cent of the grants being given now to nonprofit centres. However, we are determined to keep our promise. We are depending upon the federal government to eventually pass its legislation and to make its cost-sharing retroactive to April 1. Only in this way will both nonprofit and existing commercial centres in Ontario and the families they serve be treated in a just manner. I believe that it is incumbent on all of us to raise our voices together to counsel the national government to make an urgent priority of its new child care strategy and to resolve these issues.

Parliament must be given the opportunity as soon as humanly possible to consider this new legislation and to make a reality of what is now only a proposal. In this way, we can ensure the viability of a part of our child care system which offers support to thousands of families across this province.

### CHILD PROTECTION

**Hon. Mr. Sweeney:** I have a statement with respect to amendments to the Child and Family Services Act.

I am pleased to introduce today proposed amendments to section 40 of the Child and Family Services Act. My ministry is strongly committed to developing a social service system in Ontario that is truly responsive to the needs of vulnerable children and young people. This requires an ongoing review of legislation in order to maintain a workable balance between the rights of children and their best interests.

Experience with the Child and Family Services Act during its first two years of operation as



well as continued consultation with child welfare agencies have identified the need for certain changes regarding the apprehension, care and protection of runaway children. I would like to advise the House of the major changes to the act that I am proposing today.

First, the amendments will permit police and child protection workers to obtain a warrant allowing them to apprehend runaway children on their parents' request and return those youngsters either to their own homes or to a place of safety.

Second, runaway wards of the crown or a children's aid society can be apprehended without a new hearing finding them in need of protection.

Third, young people who have run away or attempted escape from open detention or custody facilities can now be admitted to secure detention.

Fourth, young people needing an emergency, short-term stay can be admitted more easily to secure treatment facilities.

I also propose to strengthen the existing curfew provisions in the act. We will clarify that children who are in public places between the hours of midnight and 6 a.m. must be accompanied by their parent or an individual 18 years or older who has been approved by their parent.

Finally, in order to bring the legislation in line with the Mental Health Act, I propose to permit care givers to initiate a closed hearing to determine whether records of mental disorders should be disclosed in court hearings.

These proposed changes are the result of a lengthy and intensive reassessment of the Child and Family Services Act. The consultation process was exhaustive, and I urge all members to support these important amendments.

We shall continue to search out creative and innovative ways to deal with the complicated problems of troubled youth.

#### BUDGET

**Hon. R. F. Nixon:** I would like to advise the House that I intend to present the 1988 budget to the Legislature on Wednesday, April 20, at four o'clock in the afternoon.

#### RENTAL HOUSING PROTECTION

**Hon. Ms. Hošek:** I want to take this opportunity to inform the House of our intentions regarding the Rental Housing Protection Act.

Over three million people across Ontario live in private rental housing. It is the largest single source of our affordable housing supply and an irreplaceable asset for the province. We must

work hard to assure its future. The role of the government of Ontario is to provide a framework for protecting tenants and providing fairness to landlords and to pursue the long-term public interest in preserving existing rental stock.

Originally, this commitment took the form of the Rental Housing Protection Act, which came into effect on July 10, 1986, and placed stricter and more extended controls on all types of conversions, demolitions, renovations and severances of rental housing stock in Ontario's larger municipalities for a two-year period. Although the act has been successful in reducing the loss of affordable rental stock, it was designed as an interim measure and carries a repeal date of June 30, 1988.

In the course of our consultations, it has become clear that we must work towards the development of a new policy, one that offers long-term security for both rental property owners and tenants. Further work is necessary and further discussions must take place before such a policy can be established. Later today, I will be introducing an act which proposes to extend the Rental Housing Protection Act for a period of one year. This legislation would provide a new repeal date of June 30, 1989. I look forward to all members supporting an extension of the current act so that we may continue to provide effective protection for tenants.

#### 1350

On the basis of our consultations thus far, the government believes that any future policy must encompass the following general principles: first, the protection of our existing rental housing stock; second, the protection for tenants now living in our existing rental housing; third, the encouragement and provision of suitable opportunities for home ownership; fourth, the assurance of proper maintenance and the upkeep of general standards of all rental housing; and finally, the equitable treatment of all rental property owners.

While a range of future approaches may be considered, there are two options which do not meet these principles. Allowing the Rental Housing Protection Act to lapse with no alternative measures is simply not a viable option in the present housing situation. The other extreme, which is to place an absolute prohibition on certain changes to the rental housing stock, would greatly discourage investment in rental property and endanger the quality of our housing. The government, similarly, does not believe this alternative to be a viable policy response.



There are, however, a number of possible future approaches which would fall between these two extremes. The government believes it is possible to develop solutions which are both creative and practical and will address the various interests concerned with this issue. In order to help further the consultation process, I am releasing a discussion paper entitled *The Rental Housing Protection Act: Future Directions*, which outlines alternative approaches for the future.

This discussion paper will serve as a consultation document. All interested parties will be invited to submit their views to my ministry by July 1, 1988. My parliamentary assistant, the member for Chatham-Kent (Mr. Bossy), will be working actively with ministry officials in reviewing the submissions and meeting with interested parties.

I know that members here present will have practical proposals of their own. I welcome these, either as part of the immediate consultation process or, of course, during the legislative process.

Our challenge is to find a new direction, one which addresses the concerns of all members of the rental housing community. I am confident that the action being taken today will enable us to respond to this challenge.

## RESPONSES

### RENTAL HOUSING PROTECTION

**Mr. Breagh:** I would like to reply briefly to the statement by the Minister of Housing (Ms. Hošek). It is a little bit unfortunate that after a year of study what we have is a discussion paper of all the things we knew a year ago. Most people I know who are aware of the problems and benefits of the bill in question are thankful that there is some piece of legislation there but sadly and critically aware of the loopholes in the current legislation. I am concerned that the minister did not take some steps to at least alleviate some of the rather embarrassing loopholes that are in the law.

The problems that surround vacant buildings now are getting worse. It seems to me, as one observer of the system, that when a building is vacant it serves no useful purpose save and except one thing, which the minister did mention in her statement today in her concerns about investment in real estate. I caution the minister that one of the things she has to do is to kind of set aside her concerns about investing in real estate and get a little more concerned about tenants who

need a place to live, and that is particularly the problem we face with this.

We have no difficulty in saying the bill should be extended for a year, but it would have been nice to have been able to say today not just that we have a discussion paper of all the facts that we knew last year; it would have been nice to be able to acknowledge today that we have learned something in the process, that there are some major loopholes in this legislation which need to be plugged now, either by means of legislation—or perhaps one constructive suggestion I could make to the minister now: is it not about time that the minister and her ministry officials went to municipalities and asked for a little bit of uniformity across Ontario so that the law is applied equally from one municipality to another? This bill certainly does give the appearance of a bill that is in force if the local municipality feels like it and not in force if it does not.

### CHILD PROTECTION

**Mr. Allen:** Responding to the two statements by the Minister of Community and Social Services (Mr. Sweeney), first with respect to the announcement regarding runaway children and the Child and Family Services Amendment Act:

I understand there have been some problems and concerns that police forces have had in Ontario with respect to the problem of being sued in their apprehension of young people who are runaways and in the discharge of their duty. At the same time, I want to say we have some reservations with regard to some of the proposals. I know that they have undergone extensive consultation, but with regard to questions such as making it easier to admit young people to secure treatment facilities or, for example, those surrounding the question of existing curfew positions, I would hope those would be submitted at least to the standing committee on social development of this Legislature for some review and consideration before the minister proceeds further in this direction. I want to make those reservations clear and to suggest that procedural item.

### CHILD CARE

**Mr. Allen:** May I say with respect to the proposal to augment, in the absence of federal funding and support, the grants for the profit sector in the day care program, it seems to me that the minister has really not resolved an ongoing policy dilemma around private profit and not-for-profit day care centres.



The day care coalition in this province has affirmed time and time again the superiority of not-for-profit day care in this province. If in fact the private for-profit sector finds it difficult to compete with the not-for-profit sector, it would appear to me that one ought to let nature take its course and let the not-for-profit sector triumph and win in that contest, if indeed it has that superiority and that additional support which makes it possible.

I appreciate the problem of individuals in that setting, but none the less it seems to me that affirms the policy direction that ought to be taken.

Finally, by providing additional support unilaterally, the province is sending unfortunate signals that will come back to haunt it under the free trade agreement where, on the basis of national treatment, private profit day care operators in Ontario may well be able to find a way, as American suppliers move in, to capitalize on this kind of a proposal. That issue still hangs out there and the minister still has to face it directly. There are problems with what the minister has proposed and I sympathize with his difficulty. The federal government will not define its position at all to give him some margin of operation.

#### CHILD PROTECTION

**Mrs. Marland:** In the main, the amendments to the Child and Family Services Act do make sense. I do want to be sure that the section dealing with the curfew is very clear in that it is only children up to 15 years of age. Also, where it says "must be accompanied by a parent or an adult," we are not going to have parents and adults going out on the paper routes at three o'clock in the morning with these youngsters. I think there has to be some give and take in that section and I am sure the minister and his staff are well aware of the strength of that and not the misuse of it.

#### CHILD CARE

**Mrs. Marland:** With the statement on the direct grants for child care, I must say it is very exciting in this House on Thursday of this week to find that there is a statement in response to my question of Monday this week, and I thank the minister for his rapid response to this week's question.

I would like to say, however, that this statement is a result of several months, many months. Last fall I stood in this House and asked what was going to happen to the funding for the not-for-profit sector and for the for-profit sector in child care. The minister addresses in the

statement the very words that I have used about the concern of the erosion of quality in both sectors because they will compete for competent staff.

While the government says it will not stand by and risk the loss of services being provided today by the for-profit sector, I must say that when we look at this whole subject of funding not-for-profit or for-profit child care, we really should be addressing the fact that unfortunately this government seems to think that profit is a dirty word. In fact, there is no evidence to support the argument that the not-for-profit day care sector provides day care for children at a lower cost than do the for-profit centres.

When the minister says that the families they serve must be treated in a just manner, I think if the minister is really committed to serving these families in a just manner, the families from both those sectors, first of all he would have funded them equally from January 1 of this year, as he did the nonprofit sector, not just from April 1.

I think it is time we looked at what the cost is to the families. If the cost differential between the families is not there, then I think they should both be equally funded. While we are dealing with the subject of the federal money, of course, we are dealing purely with the subject of a pass-through to the provincial Treasury, not a pass-through to those sectors that provide day care in Ontario.

1400

#### RENTAL HOUSING PROTECTION

**Mr. Cousens:** The issue on housing continues to be an increasing surprise to all of us who have listened in the past. If you just go back to some of the lines from the Premier (Mr. Peterson), two years ago he said: "I can tell you the government is going to take a very tough line. We do not want to see the loss of any more rental housing stock." That was with the Rental Housing Protection Act two years ago.

Here is the next little quote from David Peterson on the same day, "The legislation"—the Rental Housing Protection Act—"was introduced as a short-term measure to combat the real crisis in terms of affordable housing in Ontario and will be replaced with a new housing policy after two years."

Now, we can count. We are close to the two years coming up to the May 6 time frame, and we have not seen the housing policy. When the government comes forward with bringing it back it is doing two things. One is to delay, and when the government wants to delay it brings out another study paper. I do not mind studying. We



have all been to school before. We are going to have a chance to submit things to the minister and we are going to have a chance that the minister or her parliamentary assistant might read them.

The problem we have is that we do not trust this government to take seriously the crisis in housing in Ontario. We do not believe the government is not in a position, having promised two years ago to come out with a statement, to solve the problem.

It is not going to be easy to solve, and we want to help the government address that solution. There are ways of going about it. My leader and I have discussed it. We know there is an approach to be taken. We have been waiting and waiting. I think what is going to have to happen is that the bluff is called. Two years have passed; the government has done nothing. It is perpetuating a bill that is already flawed. It is putting everybody in a bind. What is going to happen a year after that with this problem? More of the same.

## ORAL QUESTIONS

### RENT REGULATION

**Mr. B. Rae:** I have some questions for the Premier. He will no doubt recall the infamous flips of Cadillac Fairview properties when he was occupying the seat which I now have in the House as leader of the official opposition. He will no doubt remember that his criticism of that flip was that it would produce speculative increases for tenants which would literally be out of control.

I wonder if the Premier could comment on increases such as the ones I am going to describe to him: 101 Gloucester Street, 22 units, sold November 26, 1985, to 407430 Ontario for \$305,000 and resold on August 28, 1987, to another well-known landlord, 713711, for \$990,000, which is a 224.6 per cent increase in 21 months.

How does the Premier feel, for example, about the building at 105 Isabella Street, which is 220 apartments, whose price increase went up in the space of 27 months by 124.3 per cent, from \$3.9 million to \$8.7 million in one transaction?

Can the Premier tell us what he now intends to do about a rent control law which, instead of providing protection for tenants, has obviously signalled to landlords—indeed signalled to landlords but particularly to speculators—that there is a market to be had there? What is the Premier going to do to stop this?

**Hon. Mr. Peterson:** My honourable friend is drawing some conclusions there that I am not sure can necessarily be drawn from the facts that

are presented. I do not know if my honourable friend is saying that we should prevent people from selling things to each other. I am not sure what my honourable friend's point is in that particular regard.

In the absence of knowing the facts that my honourable friend has in his hands, I cannot comment on the specific situation. I say to my honourable friend, we have a rent review situation in this province and in most cases it is working pretty well.

**Mr. B. Rae:** I say to the Premier that his government is sitting on a time bomb. Through the economic and financial loss provisions in their law, they have created a recipe for speculation and speculators are now taking advantage of it. If the Premier does not know it, there are bidding wars now going on for buildings. I would suspect that some of his cabinet members who have a better idea of what is going on in the street can tell him precisely the same thing.

I wonder if the Premier would like to comment on a building at 1050 Broadview Avenue in East York, 112 units, that sold in November for \$4.7 million, resold in December for \$5.3 million; the landlord then applied for a 15 per cent rental increase, claiming financial loss and relief from hardship, as allowed under the Liberal's rent review law.

Just what kind of protection is there going to be for tenants in Ontario once the government has started this recipe for speculation, which is precisely what Bill 51 was? We warned them of it when the Liberals and the Tories joined together to pass the bill over a year and a half ago.

**Hon. Mr. Peterson:** I would say to my honourable friend that I am not in a position to comment on the specifics of the point raised by my honourable friend. I will happily look into it and give him my thoughts on it.

**Mr. B. Rae:** If the minister thinks it is an exception and the Premier thinks that what I am quoting are not typical examples, I want him to rest assured; we will be here day after day with case after case of precisely where this is taking place.

Just one more example, Mr. Speaker, just so the Premier knows what is precisely the problem he claims to know nothing about: 543rd Street in Etobicoke, 108 units, sold May 27 for \$2.3 million, resold on October 2 for \$3.5 million, an increase of 50 per cent in less than five months.

I wonder if the Premier does not recognize that the Rosenberg price per unit, which he complained about in 1982, was \$45,000 per unit.



That was seen by the Premier and by everybody else as an entirely speculative price. He must now understand that that price is being exceeded—

**Mr. Speaker:** And the question?

**Mr. B. Rae:** —in sale after resale after resale. The Liberals have created an environment for flips in their own law—

**Mr. Speaker:** The question?

**Mr. B. Rae:** —and that is what tenants are going to have to pay for, thanks to the negligence of David Peterson and his government in passing Bill 51.

**Hon. Mr. Peterson:** I do not accept the analysis that my honourable friend wants to bring forward in this particular case. He knows the pressure in the housing market, I know the pressure in the housing market, and I think we all understand that. The minister has been applying her mind to it, as has this government.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** I say to my honourable friend that I think in general terms the—

Interjections.

**Hon. Mr. Peterson:** Let me respond to him and say that I think the rent review situation that was put together and passed in this House a couple of years ago, by and large, has substantially moderated the rental situation.

Interjections.

**Mr. Speaker:** Order. New question.

**Mr. B. Rae:** The Premier knows perfectly well that if a landlord knows he can get 15 or 20 per cent per year, they are building speculation right into the price of every unit. That is precisely what they have done. They have a weak rent control law, and that is what shafts people.

**Mr. Speaker:** The question?

#### RETAIL STORE HOURS

**Mr. B. Rae:** My second question to the Premier is this. With respect to the question of Sunday working, he has stated on a number of occasions, as has his Minister of Labour (Mr. Sorbara)—though I notice that we do not have any indication from the minister as to what the protection is going to be—that it is the intention of the government to introduce legislation which would protect employees.

Given the information that I provided the House with yesterday about the leases which many small businesses are having to sign in large shopping plazas, can the Premier tell us precisely

what protection does the small business person have who owns his own store or business, who operates that business on his own or perhaps with one or two employees, if it is the decision of the municipality to proceed with a Sunday opening law? Can the Premier tell us precisely what protection those people have from having to work on a Sunday?

**Hon. Mr. Peterson:** They do not have to open.

1410

**Mr. B. Rae:** Can the Premier confirm that the only protection those people have is to lose market share to those businesses that decide to stay open on Sunday? Will the Premier not admit that what he is in fact saying is that with those people who, for religious or other reasons, family reasons, decide that they cannot open on a Sunday, the cost of their doing so is going to be to lose business to those businesses which decide they can operate on a Sunday? Is that not what he is saying?

**Hon. Mr. Peterson:** The member understands that operates now under the Sabbatarian exemption, where certain people choose to open Saturdays and certain choose to open Sundays. If the member wants to get as excited as he wants and extrapolate that into a general theory, I think he will find it works out quite well and that the fear he would like to create among people in this situation is not in fact justified.

**Mr. B. Rae:** The point about the current Sabbatarian exemption is quite different. It allows people to choose. The premier has a Sunday shopping law, the one he is contemplating, from what we understand from all the statements he has made.

Interjections.

**Mr. B. Rae:** The Minister of Natural Resources (Mr. Kerrio) is choosing to speak from his seat, where he makes more sense than when he stands on his feet. He is certainly allowed to do that. I encourage him to do that.

**Mr. Speaker:** And the supplementary?

**Mr. B. Rae:** I say to the minister that all I have to go on—

Interjections.

**Mr. Speaker:** Order. Perhaps you will speak to the minister later and address your question to the Premier.

**Mr. B. Rae:** I wonder if the Premier, in responding to what is going on in the province, would care to comment on a letter he received, of which I received a copy, from Mrs. Lee of

Stoney Creek, who writes as follows, talking about her husband, who is a retail store manager:

"Recently, he has been required to keep the store open 9 a.m. to 9 p.m. five days weekly, and 9 a.m. to 5:30 p.m. Saturdays. Under these new hours, we have seen a dramatic increase in his work week, a total of 60 hours on the average. We have three small boys who see their father one hour in the morning, an average of four hours Sunday afternoons after church attendance and perhaps two evenings weekly for two hours. We get minimal time together now, and I can assure you that Sunday shopping will destroy our family intimacy."

**Mr. Speaker:** Question?

**Mr. B. Rae:** What can the Premier say to the Lees to assure them that they are going to be able to spend more time with their father on Sunday without having their father lose his business?

**Hon. Mr. Peterson:** I am sure that if the member talks to my wife, his own wife or the wife or spouse of many people in this House, they would all say they would like to spend more time with their spouses. I am sure that is the case.

**Mr. Breaugh:** That is not what my wife says.

**Hon. Mr. Peterson:** There might be some exceptions in here. As a matter of fact, there are some people in here I would not want to spend any time with. I can, however, speak categorically for all members and all spouses of the Liberal Party.

I think the member will see, when this bill is brought in, that it will address a number of the situations and inequities that now exist. He is talking about a current situation, not a future situation. He will recognize again that no one is forcing that store to open at any time.

#### RENT REGULATION

**Mr. Brandt:** My question is for the Minister of Housing. It relates to a property I had the opportunity to visit some days ago in the very attractive town of Paris. I am sure she is aware of the location of Paris. The particular building in question there is called Telfer Place and it is a residence for senior citizens.

This particular property has now undergone a rent application on the part of the owners of this building of 9.7 per cent, which was applied for in February 1987. There was a further increase of 9.7 per cent applied for in 1988. I would like to ask the minister why in fact it is necessary for the residents of this building to pay the 9.7 per cent increase on their apartments prior to the applica-

tion being heard by the rent review branch of the Ministry of Housing?

**Hon. Ms. Hošek:** The way the legislation was designed, those buildings that brought forward their application for an increase before a particular date in 1987 were expected to pay for that to begin with and then deal with the responses later. After a certain date, they are not. There is a cutoff date in the middle. It depends on the date on which the application came in.

**Mr. Brandt:** As the minister is aware, that subjects these tenants to an increase prior to the application even being heard, which brings me to my supplementary. In July 1987 the minister admitted that there was a backlog of 23,000 cases, and in November 1987 she said, "The rent review process is going more slowly than we wanted, but we are adding staff to the tune of a 25 per cent increase and that will considerably speed up the process."

It was reported in a local newspaper known as the Toronto Sun—or the Toronto Star, excuse me—on March 28 that her staff—

**An hon. member:** What is the difference?

**Mr. Brandt:** There is a difference between the two. For the record, let me reassure members, it was the Toronto Star in which this report was released. It indicted that the minister's staff had increased from 300 to 400, the budget had gone up three times and the backlog is still 23,000, the same as it was 10 months ago. When can we expect a speeding up of the backlog of cases that are on the minister's books?

**Hon. Mr. Bradley:** The honourable member does not want us to hire more staff.

**Mr. Brandt:** They have already hired more staff. They are hiring more staff and the process is slowing down. My question to the minister is when—

**Mr. Speaker:** Order. I thought I heard the question. The question has been asked.

**Hon. Ms. Hošek:** I want very much to provide both tenants and landlords with some certainty in this situation. Our process of resolving the backlog in rent review is indeed gaining speed and momentum. However, I share the concern. It is clear that we have a very serious problem. We have devoted significant resources to solving the problem and we are working very hard to make sure that it is resolved in a timely fashion.

If the member opposite is saying that this is not a very cheerful story, I agree with him. If he is saying that this is taking much too long, I share the same feeling. However, what is very



important is that we are devoting significant resources and effort to clearing up this problem.

**Mr. Brandt:** As we all know, the problem is not with the landlords or the tenants. The problem really is that both groups are frustrated with the lack of any speeding up of the review of those particular applications. In the applications that I brought to the minister's attention today in question period relating to both 1987 and 1988, let me make a suggestion by way of a question.

Why would it not be possible for her ministry to deal with the 9.7 per cent applications over two years at the same time, in the interest of getting a decision from the Rent Review Hearings Board to the landlords and the tenants? The minister could expedite the whole matter very quickly and give the tenants at least some indication of what their rent increases are going to be.

My suggestion, very directly to her, is to deal with both applications at once. There must be other buildings throughout this province, and I know there are, that are in exactly the same position.

**Mr. Speaker:** I believe the suggestion by way of question has been made.

**Hon. Ms. Hošek:** I thank the member opposite for the suggestion, which is worth examining in greater detail. I should tell the member that I understand the frustration of the people involved in this situation because I speak to people who are dealing with this every day. I know the kind of frustration this uncertainty places them in. We have implemented a variety of administrative measures to try to speed up the process as much as we can. I will certainly take very seriously the suggestion of the member opposite.

#### UNIVERSITY FUNDING

**Mr. Jackson:** My question is to the Premier. Last year the member for Parry Sound (Mr. Eves) pointed out in this House that this government had instituted a new funding formula for universities which effectively limited the increased enrolments which universities could accommodate, and that as a result thousands of qualified young people in our province would be turned away from our universities.

The Premier's personal response was, and I quote Hansard, "That is nonsense." The government's response was with an accessibility fund which we were assured would allow universities to accept all qualified students.

We now discover that the member for Parry Sound was absolutely correct, that what we had predicted did occur, and today in the paper we

read that the Council of Ontario Universities says that one in 20, about 2,500 qualified students, were in fact denied a university education last year.

1420

**Mr. Speaker:** The question would be?

**Mr. Jackson:** The council predicts that one in 10, about 5,500, will be denied this year. The government's funding formula has flopped, its accessibility fund has flopped—

**Mr. Speaker:** Does the member have a question?

**Mr. Jackson:** What is the Premier going to do this year to ensure that thousands of students in Ontario receive the education they qualify for, that they want and that they richly deserve?

**Hon. Mr. Peterson:** We have made a commitment to accessibility in our colleges and universities. If my honourable friend does not know, I would be very happy to tell him of the expenditures that have been made in the last two or three years to fulfil that commitment. We are seeing a dramatic increase in enrolment rates across the province. We consider that to be a sign of success.

Obviously, it puts financial pressure on the system, but we think we are coping with that and will continue to cope with that in the future.

**Mr. Jackson:** The Premier was wrong last year. He is going to be wrong again this year. The consequences to Ontario students are obvious. Last year, according to the Western News, the University of Western Ontario was forced by his government's inadequate funding level, and faced with record applications, to raise its basic entrance mark to 75 per cent average.

Western was not the only university. Unless the Premier agrees to change the formula and to change the accessibility envelope, students in this province who have attained a solid B average or even 75 per cent will be denied access to education at a time in our history when a university education is imperative for us to remain competitive around the world.

His accessibility did not work last year—

**Mr. Speaker:** Do you have a question?

**Mr. Jackson:** It is not going to work this year. When is he going to change it? What is he going to do about it?

**Hon. Mr. Peterson:** I have to say I differ from the interpretation of my honourable friend. I would think the significant increase in enrolment is a manifestation of the success of the programs we have, in fact, been running.



Obviously, we are committed to accessibility. We are committed to the maximum number of young people receiving post-secondary education. If my honourable friend looks at the facts, I think he will see there has been this major commitment of funds over the last little while.

Frankly, I say as kindly as I possibly can, his party is not credible on the issue of post-secondary financing. It left a hell of a mess for us to clean up and we are doing it and I will give him the facts as they develop, if he would like to hear them. But I say to him, look at the commitments, and I say to him that we are meeting those objectives. We are seeing increased enrolment. We are very happy to see this demonstrated success of our programs.

**Mr. Jackson:** London is not alone. In the Premier's second home town, according to the York Gazette, last year, as a result of his government's underfunding, York University was able to increase its acceptance rate by only 1.7 per cent with an unprecedented increase in applications.

We are looking at 5,500 students being denied access to Ontario universities. They are asking the question of the Premier today in this House if he will honour the promise he made in Hansard of June 15, 1987, when he said, "I will give the member the guarantee that every qualified student will find a place in a post-secondary institution in this province this fall."

Those students are asking him when he is going to keep that promise.

**Hon. Mr. Peterson:** I will say that the fact is we have kept the promise, in spite of the member's view that we should be cutting our spending, presumably, and not spending more in post-secondary education.

I say to my honourable friend, university operating grants have increased 24 per cent over the last three-year period. College grants have gone up by 35.6 per cent. The Ontario student assistance program has gone up by 26 per cent. The faculty renewal programs have added 500 new professors to the system. The Premier's council is committed to \$200-million worth of funding to fund excellence in our universities.

Indeed, the list goes on and on and on of the major new infusion of life and excellence and accessibility into our system. I say to my friend, I do not deny there are pressures on the system. There are and will continue to be. The pressures are a sign of success. We will meet them as a government. But I say again, that government left the post-secondary system in a mess, by any objective assessment one wants to use. That is

absolutely the reality of the situation, and my honourable friend should be embarrassed, pleading for more on one hand and, on the other hand, asking us to cut back.

### INCOME TAX

**Mr. Laughren:** I have a question for the make-the-pay-poorer Treasurer.

**Mr. D. S. Cooke:** Make the poor pay.

**Mr. Laughren:** Make the poor pay.

**Mr. D. S. Cooke:** He makes the pay poor too.

**Mr. Laughren:** Yes, he does that too.

**Mr. Wildman:** What he really meant was the poor Treasurer.

**Mr. Laughren:** I have a two-part question for the Treasurer. I would like to ask him, first of all, who he thinks should pay the most income tax between these two groups—

**Hon. R. F. Nixon:** Is he talking about the Tories and the NDP?

**Mr. Speaker:** Order. I am sure it is a very important question. Please allow the member to place his question.

**Hon. R. F. Nixon:** He's done way too much research.

**Mr. Laughren:** It is not too much research; it is just good research.

First of all, who should pay the most tax? Then I want to ask the Treasurer who he thinks does pay the most.

Interjections.

**Mr. Laughren:** I am going to need your protection, Mr. Speaker.

**Mr. Speaker:** I remind members that we try to get in as many questions as possible. It has already taken about a minute and three quarters to even think of the question. Would the member place it?

**Mr. Laughren:** It is giving the Treasurer time to think of an answer.

On one side is an Ontario family of four at the income level of \$21,700. On the other side is Brascan, an Ontario-based company with 1986 profits, the latest that were available to us, of \$136 million; Cadillac Fairview, also an Ontario-based corporation, with 1986 profits of \$58 million; Xerox, the same year, with profits of \$59.7 million; and the Toronto Stock Exchange, which had 1986 profits of \$6.1 million.

Which does the Treasurer think should pay the most income taxes: that family of four at the poverty level or those companies? Second, who does he think really did pay the most?



**Hon. R. F. Nixon:** Mr. Speaker, do you have the feeling that is a loaded question?

Since I think I know the answer, I will tell the honourable member that, like him, I am very much in favour of a fair and equitable distribution of taxation responsibilities across the whole spectrum of the taxpaying public, both individual and corporate.

**Mr. Laughren:** May I take that answer to mean that in the Ontario budget which will be brought down on April 20 there will be for the first time in Ontario a minimum corporate income tax so that there is a more appropriate sharing of revenues raised in this province than there is at the present time?

**Hon. R. F. Nixon:** Actually, following on the lead of the previous government, which established a capital tax, we have expanded that to some extent and all corporations at the present time pay that, whether they are profitable or not, even the ones that the honourable member would designate as highly profitable.

Because they have followed the lead of initiatives established by the government of Canada, both the present one and the previous government of Canada, designed to stimulate investment and to produce jobs in Canada and Ontario and even in Sudbury, these people have been able to defer a certain degree of corporate taxation on that basis.

The honourable member may feel that it has been unnecessarily to their benefit, but in fact these have been alternatives and tax preferences made available by decisions of government, I think it would be fair to say mostly at the federal level.

**Mr. B. Rae:** Loopholes.

**Hon. R. F. Nixon:** Some people call them corporate bums, and I am quite prepared to hear those speeches again. But in fact the alternatives and tax preferences were designed to stimulate investment in our economy, which has created jobs. I understand even the principal employer in Sudbury has started to rehire.

1430

#### QUEEN'S PARK CHILD CARE CENTRE

**Mrs. Marland:** I would like to ask the Premier a question. In so doing, I would first like to remind him of what must have been very much a red letter day in 1986. That is the date of March 4, the occasion on which the Premier opened a centre which he referred to as a shining example of workplace child care and encouraged all companies to follow the government's lead.

This is the Queen's Park Child Care Centre. It is now operating with a \$37,000 deficit. As of January 1, 1988, it has increased its fees by 25 per cent. What kind of example does the Premier think he is giving the public sector with a facility running with a \$37,000 deficit, or is this the new Liberal style of deficit leadership?

**Hon. Mr. Peterson:** It is run by an independent board, as the member obviously knows. I am told it is working very well. I am not sure of the financing of the particular situation, but I will pass on any remarks the member has about its financial competence to the independent board that runs it.

**Mrs. Marland:** I would like to help the Premier with how it is running. First, it receives free rent and free telephone and its furnishings have been paid for by the Ministry of Community and Social Services. Obviously, because it is a nonprofit centre, it has recently begun receiving retroactive grants to help cover its salaries and reduce the fees. With all of that help and the fact that the grants were to help reduce the fees, it is experiencing a \$37,000 deficit.

Will the Premier provide this House with a full report as to why his flagship child care centre is operating in a deficit position while being funded with public money?

**Hon. Mr. Peterson:** We have just announced that all day care programs will be financed with public money. That is part of a very strong commitment that the member has. I am not embarrassed at all to stand in this House and say we do have an outstanding day care facility in this House and it is for people who work in this facility. It is run by an independent board and it is its responsibility, obviously, to do that. We fund it the same way we fund other day care facilities. If the member is against that day care facility in Queen's Park, she should stand up and say so.

#### TRANSITION HOUSES

**Mr. Miclash:** I have a question for the Minister of Community and Social Services regarding the new funding formula for emergency shelters for battered women. Members will know that there are growing demands for the services provided to victims of family violence by the province's interval and transition homes. Can the minister tell the House what steps his ministry has undertaken to stabilize the core funding of emergency shelters?

**Hon. Mr. Sweeney:** Members will be aware of the fact that about a year and a half ago our ministry did a survey of all 78 transition houses in the province and attempted to find out exactly



what their needs were. In addition to a child care worker for the centres, they put stabilizing of their funding as very high on their priority list.

As a result of that, we have just recently completed an analysis and put together a proposal whereby the ministry will be funding between 80 and 100 per cent of their total costs. We have met with the Ontario Association of Interval and Transition Houses and presented this proposal to it. It is in the process right now of analysing it for itself and coming back to us with a response.

**Mr. Miclash:** Will the minister update the House on the progress of the implementation of the new funding formula?

**Hon. Mr. Sweeney:** The concern of the association is that there be stabilized funding, that there be help for children in the centre and that there be counselling services available. I point out to the honourable member that about a year ago the Attorney General (Mr. Scott) and I made a joint announcement that we would be making funds available for all of these. At the present time, we have indicated to all of the transition houses across the province that we are prepared to negotiate their budgets with them immediately, using this new stabilizing formula. We do understand, however, that some of them wish to delay the signing of their current year's budget until after the Ontario association has had a chance to review our proposal and come back to us.

In addition to that, in order to enable them to carry out that function, we are providing \$10,000 to the association so that it will have the resources and be able to communicate with its various members so as to let us know whether they have alternative arrangements. In the meantime, we are not delaying our budget approvals for the houses that are prepared to go ahead. I expect that—

**Mr. Speaker:** Order. It seemed like a fairly full answer.

#### HOME CARE

**Mr. Reville:** My question is for the Premier. I want to take him on a very quick tour of some hospitals. If we stopped at Humber Memorial, we would find 87 patients occupying acute care beds because there are no chronic care beds available. If we went to Cambridge and stopped at Cambridge Memorial, we would find 39 patients occupying acute care beds because there are no chronic care beds available. If we go up to Ottawa, at the Riverside Hospital there are 45 patients, and at the Ottawa General 40 patients.

At Mount Sinai Hospital there are 27 patients, and at Toronto East General 87 patients.

I wonder if the Premier does not believe it is now time, after this quick tour, to stop talking about home care services and actually make some available.

**Hon. Mr. Peterson:** We introduced the integrated homemaker program a couple of years ago. We are now serving, I believe, 18 communities at a cost of some \$58 million. We are committed to expanding that.

**Mr. D. S. Cooke:** That's \$58 million out of \$120 million.

**Hon. Mr. Peterson:** My honourable friend is squawking. He does not think it is enough. Obviously, one can make that argument about any program we have, but I say to the member that we recognize the need and are responding to that need.

**Mr. Reville:** Mr. Speaker will not be surprised to know that I think that is an astounding answer. On the one hand, we have about \$6 billion invested in hospitals, and that is where beds are being inappropriately used. On the other hand, we have this minging—that means very small—amount of money being spent on homemaker services, a tiny, tiny fraction.

We now see the Minister of Community and Social Services (Mr. Sweeney) beginning to wonder about maybe we should charge senior citizens for integrated homemaker services. These are the same services the Premier calls the cornerstone of his community care policy. That is some cornerstone. I hope the Premier does not think community care is something we should charge people for. Is that what the Premier is planning to do, to shift the burden of the health care costs on to the shoulders of senior citizens?

**Hon. Mr. Peterson:** We all pay for the health care system through the taxation system. My honourable friend has asked me about our homemaker programs, and they are increasing, expanding. They are enormously expensive, as my honourable friend knows. We are trying to balance the needs to address the problems the member talks about, people inappropriately placed in beds, and I recognize that is a problem.

At the same time, one has to keep up with the need for institutions as well. It requires a balanced system, and there is no one quick solution to the problem. I say to the member that if he looks at the progress we are making, a reasonable assessment would say we are moving ahead.



## COMMUNITY SAFETY

**Mr. Eves:** I have a question of the Minister of Health. Yesterday, London city council sent a resolution to the Solicitor General (Mrs. Smith) calling upon the government to initiate an inquiry into the assault of a London girl by two residents of the St. Thomas Psychiatric Hospital and to immediately suspend all temporary absence passes pending the outcome of such an inquiry. As well, London city council called upon the Minister of Health to undertake a review and revision of the policies and procedures of Lieutenant Governor's warrants in this province.

Frankly, I find it strange that when a number of incidents arose where public safety was threatened by residents of halfway houses under the jurisdiction of the federal parole boards, the minister's government demanded that the federal government launch an immediate inquiry into the system, which it has done and has completed. Yet when the member for Leeds-Grenville (Mr. Runciman) behind me—

**Mr. Speaker:** Are you coming to the question?

**Mr. Eves:** —asked the same thing of her government in a provincial matter, the minister's response was, "We are reviewing the particulars of this case."

1440

Will the minister commit to this House today that she will launch an inquiry into the policies and procedures of Lieutenant Governor's warrants in this province—not on a federal basis—and that pending the outcome of that inquiry she will impose an immediate freeze on day passes?

**Hon. Mrs. Caplan:** As I said to this House the other day in response to the question from the member opposite, and as the member opposite, I believe, knows, the Lieutenant Governor's Board of Review is an independent body required under the federal Criminal Code, appointed by order in council as this independent body is required. It consists of a judge, lawyers, psychiatrists and members of the public. It reviews these cases individually.

I have just today received correspondence from the London council and have referred its comments to Mr. Justice Callon, a respected member of the Supreme Court of Ontario who heads up the Lieutenant Governor's Board of Review, for his attention.

**Mr. Runciman:** That response reinforces a growing perception that this minister is naïve and ineffective on this issue. She expects the people in organizations who may have made the mistake

in this case also to tell her what went wrong and how to fix it and she will not take any temporary measures to protect the public.

The system is rife with dubious decisions. At the Brockville Psychiatric Hospital, a man who committed two brutal hatchet murders less than three years ago has the master-key to almost all the wards in the hospital, and we do not know how many more cases there are like that.

It has now been a week since the London incident. Will the minister tell the House why the St. Thomas hospital thought it was safe to give a pass to the two accused in the London abduction? Tell us.

**Hon. Mrs. Caplan:** I would caution the member opposite from giving inaccurate information to this House without checking the facts; and second, remind him that the particular case in London, which we discussed the other day and one which I have expressed my own personal concern about, is under review by the hospital in St. Thomas, as well as Mr. Justice Callon who has responsibility for the Lieutenant Governor's Board of Review.

Interjections.

**Mr. Speaker:** Order. The member for Leeds-Grenville has asked the supplementary.

## PROTECTION FOR HOME BUYERS

**Mr. Carrothers:** I have a question for the Minister of Consumer and Commercial Relations. While this House was in recess, I held a forum in my riding with new home buyers and discussed some of the significant problems many of my constituents are having with the quality of new home construction and the difficulties they are having in getting their new home purchases closed on time.

I wonder if the minister could tell us what he intends to do about the activities of certain irresponsible builders in this province whose actions are ending up financially damaging many constituents in my riding, and whose actions are also tarnishing the reputation of many reputable builders in this province.

**Hon. Mr. Wrye:** I want to say first of all that the honourable member was kind enough to invite a member of my staff to attend that forum. Certainly, his part of the province is one of those—not the only one, but one of those—which has been undergoing some very considerable pressure for a long period of time and that pressure seems to be continuing. There was a very good attendance and, I am told by the member of my staff, a very useful dialogue.



The member raises a very good point. We have been meeting with builders and builders' associations for a period of time to express our concern and to discuss with them solutions to the problems of delayed closings, the problems of incomplete work on closings and improper substitutions, among others.

I have had discussions with my colleague the Minister of Housing (Ms. Hošek), because the last thing we want to do, from a consumer perspective, is take a solution which drives up the cost of housing, which is already, I think all members would agree, quite substantial, particularly in the Metro area.

I think we are very, very close to a solution and I expect that by the end of this month we will be able to announce some initiatives which I believe will offer and afford some real protection for consumers in the province.

**Mr. Carrothers:** At that forum, it also came to light that there were many problems with the new home warranty program and that it was not operating as one might like. I have written documentation which outlines that builders have suggested to home owners that they not take the benefit of the home warranty plan when they have problems, and also letters which confirm that many builders have failed to complete documentation that would allow the new home buyers to gain the benefit of that plan.

I wonder if the minister can outline any changes he intends to make in that new home warranty plan that would make it more effective.

**Hon. Mr. Wrye:** The honourable member raises a very good question, and he shared with us the documentation he just spoke of in his question. I would say a couple of things. I would be the first to admit that the Ontario New Home Warranty Program needed some rejuvenation, some freshening up, and I believe that is now well under way under the able leadership of Mr. Rose, who is the new executive director. As well, the government has hired new staff so that we can get on with investigations and try to move these problems to a solution just as quickly as possible.

The honourable member also raises the issue of what we can do against certain builders who may be taking actions that are quite inappropriate. I can say to the honourable member that we are reviewing the act. We intend at some point, as soon as possible, to bring in amendments. In a conversation I had with a major builder as recently as this morning, we discussed the need for new penalties, and that builder indicated he certainly had no problem because those who

would be affected are the very builders who are giving good, honest builders a very bad reputation.

#### HAZARDOUS WASTE TREATMENT FACILITY

**Mrs. Grier:** Can the Minister of the Environment tell the House whether or not, when the Ontario Waste Management Corp. has completed its processes and has established a facility for the disposal of liquid industrial hazardous waste, that facility will accept waste from jurisdictions other than Ontario?

**Hon. Mr. Bradley:** There will be a hearing, first of all. I do not think I can prejudge what the Environmental Assessment Board will do in terms of the presentation of the proposal by the Ontario Waste Management Corp. Part of the discussions that will take place at that board hearing will certainly revolve around the sources of materials that would be going to any site they might propose in Ontario, the kind of materials, the kind of facilities to treat and dispose of those materials. I think the board will certainly be in a position to make a recommendation in that regard.

The purpose of having such a facility in Ontario is to look after the waste that is generated in Ontario. As the member would know, at the present time, a good deal of contaminated material from Ontario goes to other jurisdictions. Some of it even goes overseas. Some of it goes to the United States and some of it goes to other provinces which have facilities.

We want to be able to look after our own problems. I think the board will be in a good position to make a judgement as to any proposal the OWMC would put forward.

**Mrs. Grier:** I do not know that Ontario is a major exporter of industrial hazardous wastes. I know we do send some of ours to other jurisdictions, but I also know that since the signing of an agreement between the federal government and the United States in October 1986, this province has been very much a net importer of liquid industrial hazardous waste.

Given that the Ministry of the Environment has spent millions of dollars and put the people of the Niagara Peninsula through the agony of major hearings on a disposal facility, and that ministry has not used the ability available to it under the transboundary agreement to stop any of the waste that is now coming into Ontario, what assurance can the minister give this House that when and if OWMC constructs a facility, it is not going to be literally swamped by waste from the



US and not have any capacity available to deal with the very real problems in this province, problems which the minister has not yet dealt with?

**Hon. Mr. Bradley:** Whatever decision the board eventually makes is going to be largely dependent upon what I would say is judgement based on the evidence which is presented. We know there will be people who are opponents to this particular proposal which OWMC has put forward. Dr. Chant and his group have developed this proposal; it is being scrutinized carefully and there will be appropriate hearings.

The purpose of establishing the Ontario Waste Management Corp. was to look after the waste generated in Ontario. Certainly, our government would see that as being the priority of that facility.

I wonder whether we can ever get into a position where we say there will never be a crossing of any provincial boundary, for instance, of material going from one province to another, because at the present, the minister—that is a little slip there; well, she assists the minister very often—the member for Etobicoke-Lakeshore (Mrs. Grier) would probably know that a good deal of biomedical waste leaves Ontario for other jurisdictions. Whether in Canada we would close our interprovincial borders, I certainly doubt that would happen.

1450

#### EDUCATION FUNDING

**Mr. Sterling:** I have a question for the Minister of Education. As a result of his announcement a week ago, the Carleton Board of Education will be receiving \$6 million less than it anticipated from general legislative grants for 1988. Actually, the provincial share of costs under the Carleton Board of Education will be less this year than last year in actual dollars.

The shortfall raises the projected tax increase for property taxpayers from about five per cent to 11 per cent, with possible increases in some of the rural townships hitting 15 or 16 per cent. In one year, the provincial share has dropped from 48 to 43 per cent of the cost of education in Carleton. How does the minister justify this?

**Hon. Mr. Ward:** As the member for Carleton will know, the general legislative grant formulas are structured in such a way that the funds available to various boards of education throughout this province vary on the basis of the amount of commercial and industrial assessment within a board's jurisdiction. They vary in accordance with increases or decreases in enrolment. This

year they will also vary as the result of the utilization of updated equalization factors, an initiative we undertook this year in the interest of achieving greater fairness across this province in terms of the distribution of grant revenues to various boards.

I think the member will recognize that the grant differences experienced by the Carleton board this year are not the result of any one of those particular factors but a combination of all three. The way the grant formulas are structured, it is done in such a way as to provide equitable funding for all boards in this province. As a result of increased commercial-industrial assessment in this region, the board does have a broader revenue base with which to meet its expenditures. As a result of the new factors, it is getting less revenue as well.

**Mr. Sterling:** What I recognize is that last year this government put it to the people of eastern Ontario with regard to capital funding. Last year the Carleton board, although recognized by this government as one of the four largest growing boards in Ontario, received only 15 per cent of what it requested. The Roman Catholic school board in the same area received only about the same, 15 per cent of what it requested. This year what the government is doing to them is in terms of their maintenance of existing programs.

The Carleton Board of Education's enrolment is up by 1,000 students this year; yet this province is going to give them less money this year to educate all the students they had before plus 1,000 more students. Is this the minister's idea of a commitment to the people in the Ottawa-Carleton area? Next year we are going to have the francophone board to deal with and the funding of that area.

When is the minister going to give a fair break to the people of eastern Ontario? Can we at least ask him for a fair break when it comes down to capital commitment—

**Mr. Speaker:** That is about the third question. Order.

**Hon. Mr. Ward:** I do want to indicate to the member for Carleton that not only he but several other members of this Legislature from the Ottawa-Carleton region have on repeated occasions made well known to me their needs as they relate to the capital expenditure program. As the member knows full well—

Interjections.

**Mr. Speaker:** Order. I would remind some members in particular and, of course, all



members of standing order 24(b). I wonder if you would look at that very carefully. When a member is speaking, no one shall—and I underline shall—interrupt.

**Hon. Mr. Ward:** The member for Carleton knows full well that one of the great difficulties that we as a government face is the tremendous pressure that is being placed on the capital budget, partly as a result of many years of neglect during his time as a member of the government. He will know that for a three-year period up until 1985, capital funds for school purposes were frozen at a level that is something like one third of what it is today.

I can assure the member for Carleton that we are well aware of the need in the Ottawa-Carleton region for additional facilities and we hope to be able to address it in a fair and equitable way.

#### 1996 OLYMPIC SUMMER GAMES

**Mr. Adams:** My question is for the Minister of Tourism and Recreation. There is considerable interest in Toronto's bid for the Summer Olympics. What is the status of the province's involvement in that bid?

**Hon. Mr. O'Neil:** I thank the member for Peterborough for that question. I can assure him that both the Premier (Mr. Peterson) and the members of the Ontario government are working very closely with the Toronto Ontario Olympic Council to do what they can to attract the 1996 Summer Olympics to the city of Toronto. As he is aware, Ontario will provide \$3.1 million towards this bid process. We continue to work in attracting the International Olympic Committee delegates to visit the province and do what we can to bring that great event to Ontario.

**Mr. Adams:** I have heard Paul Henderson, who is one of the organizers of the bid, talking about designing a decentralized games. As I understand it, that will mean that communities like Sudbury, Peterborough, Kingston, London, Guelph, Belleville, Lindsay, Hamilton and so on will be able to participate in the games, either by hosting a team or by hosting an event. Has the minister given consideration to spreading the benefits of the games across the province in that way?

**Hon. Mr. O'Neil:** First of all, I would like to thank the member for Peterborough again for some of the information and requests he has made, in particular to such communities as he represents. I can assure him that both the members of this government and the two committees are looking at this process. It is our feeling that not only the city of Toronto should

benefit from obtaining the 1996 Olympics, but some of these events should be spread throughout the province.

#### PENSION FUNDS

**Mr. D. S. Cooke:** I have a question for the Minister of Financial Institutions. I would like to ask the minister if he can explain to the House and to the 70,000 hospital workers in this province what the practical difference is between a contribution holiday of \$80 million to their pension plan and an \$80 million withdrawal from a pension plan surplus. If the minister is opposed to pension plan surpluses, can he give us the rationale for why he would support pension contribution holidays?

**Hon. R. F. Nixon:** The honourable member is undoubtedly referring to the hospital plan. I think he is aware that, as minister, I have frozen the withdrawal of all other funds from plans but have permitted contribution holidays on the basis that the regulations of Revenue Canada do not permit contributions to be made to plans that are fully funded to the extent that they have two years minimum surplus of their requirements when the plan has been reasonably upgraded. Therefore, under the federal rules, it was not permissible to allow more money to be put into the plan, particularly at a time when we are reviewing the whole matter of indexing with legislation which the House has already debated, the details of which will be before the House, we hope, in the next couple of months.

#### 1500

**Mr. D. S. Cooke:** I still do not think the minister has answered my question of what the difference is. In the Friedland task force report, it states, "Although funding holidays look very much like withdrawals of surplus, symbolically they are different." Is that not what it is all about for the Liberal government, that it is symbolism which is important; and protection of the pension plans and the workers owning their pension plans and controlling them really does not matter?

**Hon. R. F. Nixon:** I think Professor Friedland's report was a good one, but certainly the government has not pronounced itself on which of its recommendations we think should be acceptable. I say again that I think it is a good report. I have to tell the honourable member that my own view is that we will continue to review it until such time as we will introduce legislation. The difference with contribution holidays is as I have described it. Most of it is predicated on the regulations of the government of Canada, which really has a good deal to say about the extent to



which contributions can come in above and beyond what is needed to fulfil the requirements of the plan.

#### ONTARIO FARM MANAGEMENT, SAFETY AND REPAIRS PROGRAM

**Mr. Villeneuve:** I have a question of the Ministry of Agriculture and Food. On March 22, the minister announced that the funds had all been allocated on the Ontario farm management, safety and repairs program. Can he tell the House how many applicants and applications will have to be turned down because of lack of funds?

**Hon. Mr. Riddell:** I do not have that information at hand, but I will take the question as notice and get back to the member. I have no idea at this time how many applications we have received which we will not be able to honour due to the fact that the funds ran out.

**Mr. Villeneuve:** Since \$20 million was allocated and spent and in this upcoming fiscal year \$30 million is allocated and available, would it be possible that some of those applications be taken from the fiscal year last year into this one?

**Hon. Mr. Riddell:** There was \$20 million allocated for the first fiscal year of the program and \$30 million for this year, but I have to tell the honourable member that we have received so many applications that we have now asked that no further applications come in, because we know the number of applications we have now will spend all the money that is available. In other words, it will spend all of the \$30 million that is available for this fiscal year.

#### VISITOR

**Mr. Brandt:** On a point of privilege, Mr. Speaker: Due to the unexpected and untimely death of the mayor of Sarnia, which occurred a couple of weeks ago, the city of Sarnia was charged with the responsibility of fulfilling the term of the mayor with a newly elected individual, who is here in the House today. As a point of personal privilege, I would like to introduce to the House the newly elected mayor of Sarnia, Ron Gordon.

**Mr. Speaker:** I remind the member that we do not have such a thing as a point of personal privilege.

#### PETITIONS

##### NORTHERN ONTARIO TOURISM

**Mr. Owen:** I have a petition to His Honour the Lieutenant Governor of Ontario signed by 48 persons as follows:

"We, the undersigned residents of Ontario, being frequent users of Ontario's crown land, strongly oppose some portions of the Northern Ontario Tourist Outfitters Association's white paper, entitled Northern Ontario Tourism Strategy. We find the suggestions regarding privatization and control of access roads by private companies, the establishment of tourist management areas with exclusive user rights for commercial entities and the exclusion of roads built with public money from official Ontario maps particularly offensive.

"We vigorously urge the government of Ontario to keep our crown lands and roads open for the recreational use of its residents."

#### HIGHWAY CONSTRUCTION

**Mr. Adams:** I have a petition from residents of Cavan township concerning an aspect of the widening of Highway 115.

They, farmers on Highway 115 between the Cavan-Manvers boundary road and the sixth line of Cavan, while supporting the widening of the highway to four lanes, wish to make known their strong opposition to the use of an earthen median on their section of the highway. This will result in the unnecessary loss of productive farmland. They respectfully suggest that a concrete barrier be used to separate traffic flow, thus allowing farmland to remain in production.

Interjections.

**Mr. Speaker:** I believe there are other members who would like to present petitions if the members would allow them to do so.

#### NATUROPATHY

**Mr. Sola:** I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

It is signed by 200 signatures.

#### RETAIL STORE HOURS

**Mr. Reycraft:** I have a petition signed by 165 people. It is addressed to His Honour the

Lieutenant Governor and the Legislative Assembly of Ontario. It reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

### MOTION

#### COMMITTEE SITTING

Hon. Mr. Conway moved that the select committee on education be authorized to meet following routine proceedings on Wednesday, April 13, 1988.

Motion agreed to.

### INTRODUCTION OF BILLS

#### CHILD AND FAMILY SERVICES AMENDMENT ACT

Hon. Mr. Sweeney moved first reading of Bill 107, An Act to amend the Child and Family Services Act.

Motion agreed to.

**Hon. Mr. Sweeney:** Mr. Speaker, you will recall that in opening statements I indicated the contents of this bill. I will not go through that again. I would like to take the opportunity in the House, however, to thank members of my staff for their contribution to this endeavour.

#### RENTAL HOUSING PROTECTION AMENDMENT ACT

Hon. Ms. Hošek moved first reading of Bill 108, An Act to amend the Rental Housing Protection Act.

Motion agreed to.

1510

### ORDERS OF THE DAY

#### MUNICIPAL ELECTIONS STATUTE LAW AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act.

**Mr. Speaker:** The member for Markham had made some introductory remarks yesterday. He might wish to continue.

**Mr. Cousens:** I know there is a great deal of urgency on the part of the government to rush this through. Since they took so long to get it in the House, they want to get it out of the way just as fast as they can. I have no desire to hold up that

process, but I have a number of concerns that I tried to lay on the table yesterday, so that the people of this province will understand that a lot of significant changes are taking place.

There is no grand, cohesive scheme that puts them into a sense that many people will understand, and who knows what new bill they are going to come out with tomorrow that will change the way in which we have done things for a long time. I am not opposed to change, but if we are making changes, let us do them with the right spirit and the right things in mind, so that as we plan for the future, we are able then to take advantage of some of the things that are available.

I think that to change the time for the election from 21 to 28 days is not wise and is not smart. We will be considering amendments that can do something about that. Going four weeks for a municipal election rather than the present three I know is going to be an experience that those who want to run for election really do not need. They can use electronic media. They can use the newspapers. Their signs have to stay up that much longer. Why is it that this government has to extend the length of time for municipal elections from three to four weeks? It just does not make sense in this age of high technology and electronic media to be doing that.

I tried to express that yesterday. I think the electorate will become bored with politics if that is the way it is going to be done. I think we have to make it exciting and interesting, and if they know it is going to be there for a three-week period, then it can be a very effective time frame for the public to really complete their decision-making process and cast their ballots intelligently.

This bill has a number of major concerns to it and they all fall in place with the form that the government has used to collect the data. It is called a municipal enumeration notice. In fact, I have circulated it now in the press gallery. I trust people are going to want to see just how bad a job the Liberal government has done in not promoting the democratic municipal process by virtue of the way it has put together this form.

I see this as a most abominable attempt to discourage people from becoming involved in the electoral process. I see this document as something that was put together by people who do not know how to motivate the public when it comes to becoming far more involved in that great electoral process.

**Hon. Mr. Conway:** How do you do that? I am interested in your—



**Mr. Cousens:** I am coming to that. Thank you.

We are here today as politicians who have become elected because when we sent out our brochures and went out to the public, we knew that if we went and had our brochures all crammed together people would not read them. So we get bigger print. We get them so they have a little colour to them. We get them so that people are going to want to read them. That is the way the Minister of Municipal Affairs (Mr. Eakins) got elected. He has been here longer than many of us have and knows that to be a good communicator he has to use professional skills, professional techniques, in order to get people to respond in a positive way.

If this government wants to have people involved in municipal politics, in municipal elections, what they are going to do is receive a form and every elector in Ontario, hopefully, will have his name on the enumeration, the poll list, and be enumerated so that he can vote in the election on November 14. That is the election day this year.

Why not do a little bit more around the whole subject of elections? The first time someone is enumerated, he is going to look at this. There is no notice when the election is going to take place, and yet we all know, and it has been legislated for some length of time, that the municipal election is going to take place on November 14. Is that not what this is for? Sure, it is. This enumeration is for the municipal elections across the whole of the province that take place on Monday, November 14. Why not have some indication of that on this form?

In fact, to go a step further, why not have some way in which people are going to want to become far more involved in the democratic process at the local level by having a form that is attractive and says to people, "Look, what you do, your presence, your signing up, is important"?

What instead is on this form is more of a threat. There are many people who do not know the laws of the land. In fact, many of us who have been in this House still do not understand everything we pass. Worst of all is you have right at the very top of this form an indicator of just what is required. It says, "You are required by section 14 of the Assessment Act to complete and return this notice."

Why do they not put "or else," and what the guidelines are? Are you going to be sent to jail? Are you going to have the right to vote taken away? Are you going to be put in a position where you cannot vote again? Are you not going

to have another chance to be enumerated if you do not fill out this form? Why does this form not make clear what is meant by the Assessment Act? We want people to subscribe, we want them signed up and we want them on the list because we want them involved in municipal politics. We want them to look at who is going to be their mayor, their reeve, their councillor.

They want them to know that there is a school board election and a hydroelectric commission election. But this is just threatening them by saying, "Hey, you are required by section 14 of the act to fill out this form." Why not have a little bit of explanation that if someone is away and misses the time frame when you expect to have it back, there is a sense that, "If this form is not completed, you will have a certain amount of time and we will be following through"?

The act provides for a follow-up on people. We know that. But what it is saying to the person who gets this form is something quite else. Because of those people who do not know the Assessment Act, I am sure there are going to be many people who will phone the regional assessment office and say: "What happens if I do not fill it out? What does it mean by that statement 'under section 14 of the Assessment Act'?"

There is a whole concept that goes into what government can do for the people and what we should not do is be old-fashioned. Here it has a chance. It has 94 seats with a huge majority. It can do what it wants. This legislation will pass today and what we say and what we do on this side really only gives a chance at least for someone to speak up on behalf of the people who otherwise would not have a voice.

May I suggest that here is a chance to come forward with a new approach to a government form, an approach that says to people who may have different backgrounds, different nationalities—language might be a problem for them. I venture to say there is going to be a real problem with this form when it arrives in at least 10,000 homes in the riding of Markham. Markham is a community now of 125,000 people, and in Milliken and that area, in a five-kilometre radius, we have over 50 nationalities, and for many of them their first language and second language are neither English nor French.

They get a form like this. The print is small. It has terminology and ideas that might be very strange to them. Then when they do not know the laws of our land and they hear that they are required by section 14 to do whatever section 14



requires them to do, to have this completed and returned, it is just another one of those things where the government says, "Hey, boy, we're big, you're small and we're going to push it through."

What the government wants to do with the people in Ontario is get them to want, get them to have a desire to sign up. We know how the enumeration has to go and how fortunate we are that we have a democratic land in which people can vote. But we have a problem. There are so few people who vote in municipal elections. In the riding of Markham, in the municipal elections you are lucky if you get 33 per cent of the electors out to vote.

**An hon. member:** Not in Middlesex.

**Mr. Cousens:** How many turn out in Middlesex?

**An hon. member:** Sixty-five.

**Mr. Cousens:** Sixty-five at municipal elections? How many in yours?

**Hon. Mr. Conway:** Probably 50 or 60.

**Mr. Cousens:** That is good. I am sure that if we did a poll around the room, it would vary. Maybe we are on the end that needs a bit more encouragement and maybe that is why I am a little bit more sensitive about it. I would like to see it so that we have as many people as possible in Ontario voting on election day at every level and so that people could come along and understand how important it is to take part in some way in this democratic process.

Who knows? They might get involved and help a Liberal or a New Democrat or a Conservative. Who knows how interested they will become? Who knows if they will even decide to run? But if they vote and they are interested enough in that, let us encourage that.

1520

Why not use this form to help get people involved in that process? Why not say: "Hey, voting day. We know what it is already when the form comes out. It is going to be November 14. Something else we can tell you: By signing this you are beginning to become involved in the municipal electoral process. It only applies to municipal elections but we want you and we need you. In order to have a strong community, we want to make sure that the government is encouraging people to take part?"

They are not. What they have done is put together a format that is going to frighten and scare people off, especially when they start having the reaction that many of them are going to have to some of the content of this form.

I had no idea that this format that had been developed was so poor. This morning when I phoned the Ministry of Municipal Affairs, I asked for 200 copies of it so I could circulate it to the press gallery and a few others so that they, personally, could see how bad it was. I got a call back that I would have to get it through the Ministry of Revenue. When I called the Ministry of Revenue, it was able to give us one copy. I am most grateful for that.

Why was a copy of that form not circulated to all the members of the Legislature prior to the review of this bill, since the minister is trying to rush it through? Why was there no chance for all of us to get a sense of what it was the minister was trying to do? These are the regulations. This is the implementation of Bill 77. Why not have it circulated so that we knew what the minister was really up to?

Now that I have it, I have tell you, Mr. Speaker, that there are more things in it that are bad than just the one item I have talked about. I am talking about the format of putting together any kind of form. R. L. Crain Inc. has all kinds of guidelines that it has put together to assist people when they are putting forms together.

There are certain things you can do to make a form attractive. There is the screening, and I think the screening on this one is good. There is the density of it. The quality of the paper can be something. I know there are certain dollars-and-cents considerations that go into the preparation of a form, but what the Minister of Municipal Affairs has tried to do is cram everything on one page, both sides.

Why not have a bit more space so that we can do some of the other things I am talking about: explain the rules; explain the guidelines; explain the law; explain the rights, so that a person who is filling out the form is not somehow intimidated because it says on the top of the form, "You are required to do this." I am suggesting that if the government were to take some of the advice of some of the companies out there that specialize in how to prepare forms, we could break away from some of the ways in which we have—tax forms are a classic. We end up having to go outside and have an accountant or a specialist help us fill them in. This one has the same kind of look to it: "Oh, my goodness, I am almost intimidated. Whom should I ask to give me a hand with it?"

I could go on and on about some of the suggestions that have been developed by R. L. Crain and some of the other companies on the development of a format that would be more readable.



May I suggest there are some things that are so basic you do not even have to go to them. There is the size of print, which I commented on briefly yesterday. There are many people who are visually impaired in Ontario. In checking with the Canadian National Institute for the Blind this morning, there are 119,000 people in Ontario who are visually impaired. I venture to say some of them are so visually impaired that they would have difficulty filling out a form with even larger print, but can we not look at the concerns of seniors as well, whose eyesight may be failing and who also have difficulty reading small, fine print?

Would this not be an opportunity then to make it easier, to have the size of print a little larger and maybe the page a little larger so that people can read it more easily? The print is small. It is hard to read. There are those who are almost turned off when they get a form that is that way inclined, but then they are also frightened because the first line they are going to read is "you are required."

If the government wanted to do it right and was saying, "We want to have the people of our municipalities far more involved in local government," it might have had a two-page or four-page format where you could rip off the back page and there would be a number of items there that began to explain to the people of Ontario what this was all about.

This is a new approach, a new way of gathering information. Does it say that anywhere on here? No. It could have an idea there that tells them, "Here is the election day; here is what is involved." Then they would want to become more involved as electors.

May I suggest as well that if one looks at the back page of the form, there are several concerns there that again bring out the problem. There is an example on how to make corrections. It is so confusing. If someone makes a mistake on the form and does not have a second one or a third one, if he makes more mistakes and needs more than one copy, the example on how to make corrections of any mistakes that anyone happens to make on the form are absolutely impossible to decipher or understand. I do not know what they mean and I am sure there are going to be many others in Ontario who will have trouble understanding the example on this form. It is confusing. It does not need to be.

Why does the form not go on to tell people some of their rights? Is it not true that a person who owns more than one property in Ontario can vote in more than one municipality if that property is in another municipality? I am sure

there are many property owners who do not realize that when they have a cottage property and a Toronto property or a property somewhere else in the province, if they are in different townships or municipalities, they have the right to go and vote in two municipalities. The minister, with all his property holdings, could probably vote in many different communities across the province because I know he is a very wealthy man. What happens then? Why not have a statement in here that tells people their rights?

I know that in my riding I have many very successful new Canadians who own more than one piece of property. They own property in my riding but also in Scarborough and other municipalities. When they get this form, are they reminded of the fact that they can vote in another community? Under residency, where it says, "If you live in another municipality, check box 3," why not have an explanation? Do not forget that if you have property in another area, you will want to fill out the form. You do not have to have your name on just one roll. You may well want to make sure that you get the enumeration for that area so that you can vote there as well. Does this not make sense?

I am pleased to see that the minister nodded and agrees. The form, unfortunately, does not manifest that possibility.

I am concerned with the section here that gives notes and background information on the instructions on school support. I want to read into the record just what it says here. It says:

"The option to be a separate school elector/supporter is available only to Roman Catholics. This includes Greek and Ukrainian Catholics in union with the See of Rome. The Education Act permits Roman Catholics who own or rent property located in a separate school zone to direct the education portion of their property taxes to the separate school board if they so choose.

"Any Roman Catholic living in a separate school zone may be a separate school elector if he/she so chooses.

"If you have any questions about school support, please contact your local separate or public school board."

I meant to read the one on French-language education rights because that one came across fairly well. It does explain the law in a succinct way. I think many people have some concern about the Education Act and so on, and that does not pertain to this. I apologize. My point had to do with the next item, which is French-language education rights.



It says, "In communities where a school board operates both French and English schools, trustees will be elected to the school board to represent the minority-language group (French or English)."

How will a person know whether or not his community operates a French board or an English board unless he has been there an awfully long time or is very much in tune with what is going on in that board? For instance, does York region provide such a system? Does the Renfrew area? It probably does because there is a large French-speaking group in that part of the province.

1530

People will not know what their rights are by the way this very section is conveyed. I go back to the letter that came from the Carleton Board of Education. There is a note in a letter that the board sent to the member for Ottawa East (Mr. Grandmaître), who is now the Minister of Revenue, but it is something that could have applied to the Minister of Municipal Affairs as he was at one time.

The letter is saying, without detracting from the major issues, "I also highlight that the proposed form contains a few errors which should be corrected." Is there time to correct those errors? I doubt it. None the less, here we are at the last minute, about to pass new legislation for a new enumeration form, which I am satisfied is the pits, and we are about to come along and have something that at least one of the reputable boards of the province feels has some errors.

Let me put this on the record: "Explanation number five: In 1988, trustees will be elected to represent the minority-language group not only in communities where a school board operates both French and English schools, but also where a board 'enters or has entered into an agreement or agreements with another board or boards to enable a calculated enrolment of at least 300 resident pupils of the board'—or at least 10 per cent of the pupils—"to receive instruction in one or more French-language instructional units operated by the other board or boards.'" That comes from the Education Act, section 277d.

"The wording in the form"—and I am quoting now again from the letter from the Carleton Board of Education—"is thus misleading and incomplete." I repeat, "The wording in the form is thus misleading and incomplete."

To continue reading this document: "We also question the need to include this information as it seems to imply that the identification of French-

speaking persons is only useful in areas where there will be French-language sections. Identification of French-speaking voters will also be essential in other areas for the election of French-language advisory committees, for requesting French-language instruction and for statistical data. The opening statement in explanation number five seems to imply that French-speaking persons should only identify themselves in communities where a school board operates both French and English schools. We believe this to be misleading and conducive to reducing the number of identified French-speaking ratepayers and/or electors. This is clearly unacceptable."

Let me read further, but just stay on that one: "I am very, very concerned with people who will not know what is being provided within their own communities." Therefore, when you are asking them to fill out a form saying, "In communities where a school board operates such-and-such and so-and-so," should there not then be some way of personalizing this so that York region residents will have some kind of information inserted or sent along with it, or people in Mississauga or Peel or Durham or any other area?

It is a failure in this form and it is a failure of this government to deal with and reckon with the problems that people have in getting a government form when they do not know all the things the government takes for granted that they know. How can they be expected to know some of them? In a community such as mine, we have about a 20 per cent turnover every year. There is a huge, huge turnover with the number of new families and new homes coming in.

Why not help them to be part of the process? Invite them to participate and give them the information they need so that, when they are filling out this form, they will not have to just guess about it or they will not have to go and make a phone call or two or three phone calls or a number of phone calls in order to keep things going.

We are just seeing the member for York Centre (Mr. Sorbara) leaving the building on a very busy mission. He is an honourable member, too, which is more than I can—never mind. I have nothing to say against this honourable member, the Minister of Labour, because we happen to be long-time friends, except when it comes to these forms.

We did miss the Minister of Municipal Affairs yesterday. Here we were dealing with this bill and we were stuck with only his parliamentary assistant. He did a fine job listening, but there



was no comment, there was no nodding. We did not have the sense of the magnanimous presence we have today with the minister.

**Mr. Ruprecht:** Are there any other comments you have?

**Mr. Cousens:** Yes, I have, on explanation number four. This comes again from the Carleton Board of Education. I am quoting from the board's letter:

"We would appreciate if the section would be more specific in stating that Roman Catholics can also support public boards. We would suggest the following as more appropriate and neutral: 'The Education Act permits Roman Catholics who own or rent property located in a separate school zone to direct the education portion of their property taxes to the public school board or to the separate school board. Any Roman Catholic living in a separate school zone may be a separate school elector or a public school elector.' We would also request that the French version be appropriately amended."

What they are adding there is that after property taxes, it would also give reference to the public school board, so that people would again understand their options. I think that what the Carleton Board of Education is asking for is to make the form so people understand; make sure they know what their rights are. I think we assume an awful lot of the time that everybody knows everything that is going on. I do not think they do. The more that we as politicians in government help explain how it is, the more people who understand it can skim it and go right to the form and they can do just fine.

There is one other final comment on this letter as well, and one of our honourable members, the Speaker, who is a francophone, may want to read this. Maybe we could ask you for your services, in that the ministry may not have the kind of services you could provide. It suggests as well: "We would appreciate that all language errors be corrected before final printing. The French-language version, in particular, contains some obvious errors."

Does the minister know that? Would the minister comment on that when he is making his closing remarks? I suggest, Mr. Speaker, that you would take personal offence if there were obvious errors in language that could easily be corrected. If this form has already gone to the printers and is printed in mass production and those errors have not been corrected, that again is a tremendous waste of taxpayers' money and another sign of the inefficiency we are beginning to see more and more from this government.

I come back to it. I have pointed to a number of the problems that exist with this form alone. There are probably more: the problem of the size of the print; the readability, the ability for people to understand the intentions behind the act which have caused us to implement it; the failed opportunity to tell them about their rights as citizens in the province and the failed opportunity to involve them more and more in the electoral process; the failed opportunity to really come out there and get people excited about the electoral process.

I would say the way this government is operating is as if it is taking people for granted. It is almost putting things aside as if they are not important. I see this as an important document. It touches every home, every apartment in this province. Why not put our best foot forward and why not be progressive in the way we are going about it? We are not with this one.

I have tried to document a few of my concerns in a press release I have given now to the media. I have said in it that the Liberal government of Ontario has missed a real opportunity to promote the democratic process. This form that I have just referred to will turn people off, not turn them on. A document could have been developed with more space, bigger print and more information that would help encourage people to be interested and involved in municipal elections.

#### 1540

Knowing now that it is too late for the minister to do anything, could we get some commitment from him today as to what he will do to try to help respond to the concerns I have tried to present, the concerns of the people of the province, so that they will know when the election is going to be, how they can become involved, how important this form is and will understand what their rights are? I would like to have some sense of commitment on that before the day is over or before the bill is finally passed.

There are many things in the bill. At least I happen to support the idea of the process that is being encouraged. I think it can be a good one. Hopefully, we can capture everyone on the data banks and the data files so that we will have—

**Mr. McCague:** Capture?

**Mr. Cousens:** "Capture" is a data processing term to describe when you get people's names and addresses and you have the right number of people for a street in a community, so that you have your lists accurately put together.

The problem you have is that this government has done such an abominable job with the Ontario health insurance plan. I mean we are now



up to—is it?—14 million people on OHIP and the population of Ontario is only around eight million. Let us hope that when it has systems in place to record these enumeration lists, everything is followed through. I think there is enough sensitivity, fortunately, from the town clerks across the province and the municipal clerks and the administrators that they will be watching for that.

In the meantime, the government is going to rush it through. It is another opportunity for it to do its own thing. It is another time when it has lost an opportunity to make sure that the people of Ontario were being better served, that those people of Ontario had a better chance to understand what this electoral process is all about.

May I challenge the government to find better ways of reaching out to those who are visually impaired or to those who are of senior years and cannot easily read the very fine print there is in this? Can I challenge this government, which says it is so open, to come forward and start putting out statements for people so that they know what their rights are, instead of confusing them and frustrating them as it is doing with this?

Let there be ways on this form that allow for the people from my riding who have multi languages as first and second languages but neither English nor French. I venture to say there are thousands in Metropolitan Toronto and urban areas who will not know how to begin to deal with this form. Let us begin to provide these services. We are doing it in other areas. We are doing it when they go to the courts, the labour office or for workers' compensation. Why can we not have something in there that says, "If you do not understand this form or if you need some help with it, call this number?"

I take very seriously, as our party does, the democratic process and the rights of people. Let us do our best to build upon that and make it a stronger and better province. Let us do our best to get people involved. By having just another stale, stagnant form without any beauty to it, without any kind of design criteria, without any kind of sense behind it, then you have just turned them off. Let us turn people on to the rights and privileges they have in this great province.

**Mr. R. F. Johnston:** I do want to raise a couple of matters which have been put forward here. I welcome some of the analysis of the problems with the form and hope that, as I mentioned in my speech, there will be some response about some of the difficulties in definition that are on the form.

I have one particular problem I would love the member for Markham (Mr. Cousens) to elucidate a bit more fully. He does not think the municipal level of government is important enough to have an election that runs longer than 21 days. He thinks 28 days is too long for electors to have their attention put to municipal matters, even though they have to deal with school boards, councils, utilities, all sorts of other broad concerns, more than they would in a concentrated federal or provincial election.

In his remarks, he actually made it sound as if people would become bored if they had to pay another seven days' attention to an election in Ontario. I find this absolutely dumfounding when I then consider that the rest of his speech was all based on the importance of democracy and why in fact this whole enumeration process has to be done correctly as the basis for the underpinning of that democracy at the local level, an underpinning which, I presume, he would rather have reduced even further.

I heckled yesterday when the member was speaking on this, to say that if he thinks the municipal election should only last 21 days, as complicated as it is with all the different players, perhaps he thinks the provincial election should be reduced to 15 days and therefore give all incumbents a huge advantage that would be insurmountable.

**Mr. Breaugh:** In his remarks the member for Markham went on at some length about the information process and there is, of course, the usual brochure in two languages, with errors, prepared by the ministry. I wonder if he has looked at this.

One of the things that concerned me a bit when I first took a look at it about two minutes ago—I had it hand-delivered by the parliamentary assistant and I now know what parliamentary assistants do. I have been here 13 years and never knew the answer to that question. Now I know; they deliver pamphlets.

The thing that concerned me a little bit about it was the statement in bold type that you have to, by law, complete this form by May 12. The inference is pretty clear that if you do not do this by May 12, something evil will happen. It does not tell you what evil deeds will befall you if you do not fill out the form or if you screw it up, but the implication is clear: You really have got to do it.

I would be interested in the member commenting briefly, and it would be a good first step for him to do that about anything, on the kind of



information package that goes with the form and the implication.

I have talked with a number of my own constituents, for example, who are immigrants to Canada. Their attitudes towards governments seem quite different from mine, for example. Where they come from, if they get a notice from the government that says, "You had better do this by May 12 or else," the consequences are really quite different than we would normally contemplate here. They would be quite intimidated by statements such as are on this form, and I would be interested in the member's brief remarks on those facts.

**Mr. McCague:** I was not privileged enough to receive one of these forms from the parliamentary assistant but I was able to get one from my colleague the member for Markham.

The minister is a very understanding gentleman, from anything that I know, but this is going to scare the hell out of a whole lot of people, and I mean that sincerely. My mother, who is 85 years old, will receive this. What will she do with it? She has the privilege of having five children right close to her and we will help her fill it out.

The minister does not even say on this form that if you are going to have difficulty with it, somebody will be around in the six weeks that follow the enumeration period to help you with it. My heavens, how can he? The minister knows better than that. There is nothing on there for people who are over 65 years old to take any consolation from. They will be scared out of their wits by the thing, and the minister knows it. They will be saying: "My heavens, if I don't fill this thing out, they're going to cut me off my pension. What do I do? Maybe I should call my lawyer to see if he can help me fill the thing out."

What other form does any resident in Ontario receive that he has to fill in that looks anything like this one? It would scare you. Why not simplify it or at least put on the envelope or in there somewhere, "If you can't fill it out on your own, there will be somebody around to help you with it in the six weeks that follows the period."

That is just one of the many things that the minister did not think of. He is rushing it through far, far too quickly.

**The Acting Speaker (Miss Roberts):** Does the honourable member wish to reply to the statements that have been made?

**Mr. R. F. Johnston:** He better had.

**Mr. Cousens:** The remarks by the member for Scarborough West do not deserve a response. The dripping sarcasm and the feeling that we are trying to do something wrong is absolutely out of

the way. The people are intelligent in this province. It just gives those guys more chances to change their minds on issues if they have an extra seven days. We can at least get a better hold of them in 21 days.

1550

**Mr. Breaugh:** Sounds like a physical threat.

**Mr. Cousens:** No, I would not threaten the member for Scarborough West.

But let me just deal with the point by the member for Oshawa (Mr. Breaugh). I am grateful for the fact that at last the people of Ontario can now see this little notice that accompanies the form. Why did the minister not do it earlier? Where the Sam Hill has he been? Here we are in the House, in this Legislature—

Interjections.

**Mr. Cousens:** Well, he was not here yesterday. We want to deal with this properly and intelligently, and he comes along at the last minute and sends it over with his parliamentary assistant. He is a good runner, but I wish the minister had run a little faster.

I am just telling the members and people of Ontario that we are being pushed around as the opposition in this House. We have not been given all the facts. They have suddenly started to dribble in, in the middle of the debate on this, and we do not like it. We do not trust the government. We do not feel it is doing it right for the people of Ontario.

Let us come along and start to do something for those people. When the member for Simcoe West (Mr. McCague) talks about his mother, my mother is three years older. I will go down there and help her with it for sure, so if she is watching this afternoon, I will be there to help her do the form. But I do not want to start doing it for everyone else's mother. So who is going to help the mothers? I think it is high time the government got out there and started helping all the people of Ontario.

**Hon. Mr. Eakins:** I am delighted to have the opportunity to make some comment today. There was some question as to where I was yesterday. I want to tell the honourable members that I was here on Tuesday, prepared, according to the orders of the day, to proceed with Bill 77. We were very supportive of the opposition in order to make available time to discuss the Sunday shopping issue.

In the meantime, I had agreed to meet with some 250 municipal people discussing the questions of municipal actions and other items of business. I had in this Legislature a very capable



assistant, my parliamentary assistant, one who has a great deal of municipal experience, who has the answers and who was quite able and capable of replying to the members.

I am sure that the honourable members here would not want me to turn down an opportunity to meet with the municipal people, because that is what we are talking about here, as the member for Markham mentions, trying to create interest in the municipal elections that are coming up. That is why I was meeting with them. I regret that I was not here to answer some of the questions, but we are here today. I want to make some comments and my parliamentary assistant is also going to reply to some of the information made yesterday.

I am pleased there is a general feeling that we are trying to improve the enumeration process. In regard to timing, this was introduced into the—

**Mr. Breagh:** On a point of order, Madam Speaker: I heard the minister say he wants to wind up the debate and then wants to let his parliamentary assistant wind up the debate. I want it on the record now that somebody can wind it up, but they both cannot wind it up, so they must make up their mind.

**The Acting Speaker:** Thank you very much. With respect to that, as the member is aware, the person who moves the debate is the person who winds up the debate, that being the parliamentary assistant, but the minister has a right to speak with respect to this.

**Hon. Mr. Eakins:** I am simply taking the opportunity to make some comment on this bill. There was some question of haste. Let me tell members that this was introduced on December 16 for first reading. At that time, all municipalities, school boards and public utilities commissions received a copy of the bill.

It was suggested that the ministries cannot be ready. For a long period of time, the question of this form of enumeration has been under way and a lot of discussion has taken place. The three ministries co-operating together are certainly prepared and ready to move ahead with this and have everything in place. On the question of this form, it has been pretested and has been found very successful indeed.

The member for Markham spoke about the length of elections, from 28 days to 21 days. I listened very carefully to this. I listened to a number of municipal people. Some said, "We want 28." Others said 21. But let me say, there has not been a clear voice for change. The Association of Municipalities of Ontario did say it would prefer in some cases the 21 days, but

then we have many others who say they prefer the 28 days, including his colleague the member for Cochrane South (Mr. Pope), who submitted a letter saying, "We want 28 days."

Whether it is 21 or 28 days, that does not signal the start of a campaign. It simply means you can start the campaign whenever you want. In some of the areas across the province, the campaign starts several months ahead. For those who are incumbents, I suppose 21 days is sufficient time, but many people are entering the field for the first time. We encourage that, and I think they should have every opportunity to become involved in the process and have ample time to get their platform across to the people.

That is why, unless there was some unanimous feeling that it should be changed, I feel it should remain as stated, at 28 days.

We want to create a greater interest in voting, and there was some question as to how we are going to do this. We do have a concentrated marketing campaign beginning with Local Government Week, which is next week. It is an opportunity to create interest in that. Besides that, the brochure, which will go to every householder, speaks about the upcoming municipal elections on November 14.

As outlined on both the brochure, for anyone who needs help with it or the form, all he has to do is phone a 1-800 number, or in his own particular area there is a telephone number at which he can receive assistance.

I may also add that the Ministry of Revenue will be mailing a voter identification notice to every household in late August. The notice will contain the following information: a person's electoral rights, whether he or she is a public or separate school elector, that there is a French-language school board section in his or her area, and where and when revision is to take place.

With regard to the new form, the leaflet will be included with every municipal enumeration notice. It gives information about polling day on November 14, the purposes of enumeration and how to complete the form. The form has been proofread by staff of the ministries of francophone affairs, Education and Revenue.

There were a number of other questions which were raised yesterday, and my colleague the member for Brantford (Mr. Neumann) will respond to those. I appreciate the comments which have been made here, and I would hope, in the interest of being able to get the program under way and to notify the electors across this province, that the members of this House will give their support to this bill.



**Mr. Cousens:** The minister has not responded to too many of the questions we raised, the very question which has to do with the intimidation of people by virtue of having "you are required" and "by May 12 to have it completed."

I would like to ask the minister, as well, why it is that the enumeration form was not circulated to all MPPs. Why is it that he did not circulate this form that has just now been released, less than five minutes ago, or just before the minister started to speak, so we knew what he was up to as well?

My last point is: What about the corrections? It has been brought to our attention, certainly in the references from the people of the Carleton board, that there are some errors at least in the French edition. The minister has not satisfied me that those errors have been corrected. He can say it has been proofread all he wants, but that does not mean to say they found the mistakes. Let us at least have some assurances that those concerns have been taken into consideration.

I would like to know further what it is the minister has done with the recommendations that were made by such boards as that, which were asking for extra clarification in the instructions regarding public school electors and separate school electors and French language rights? Can the minister, in this very short time which we are allowed, shed some light on this dark bill?

1600

**Mr. Laughren:** I was not going to get involved in the debate but the government, for some strange reason, seems to be wanting to prolong the debate by its behaviour. Yesterday we tried to debate it without the minister here. It always gets the opposition up in arms and prolongs the debate on any bill when the minister does not show up for the debate. Then today the minister comes in and announces that not only is he doing a nice little windup for the government, his parliamentary assistant is going to do one as well.

Also, of course, and perhaps this is what causes me the most concern, is the history of this minister bringing in bills. How do we know that when the minister is finished with this bill he will not do the same with it as he did with the lottery bill, in which case he said, "Well, we will go through all the agony of second-reading debate, we will send it out to committee and have committee debate and we will have appearances before the committee and it can even go to third reading, but we will never proclaim it."

**An hon. member:** Right. He cannot be trusted.

**Mr. Laughren:** The minister cannot be trusted when it comes to dealing with legislation in this House. That is an accurate history, and to this day that lottery bill that went right through to the final stages was never passed and never proclaimed. That gives us pause for thought whenever this minister brings in a bill, we take the debate seriously and try to engage the minister in serious debate when we do not know what is lurking in the recesses of his mind. What does he really intend to do with this bill? I would like to have assurances from this minister that when this debate is finished he intends to carry this bill right through to proclamation.

**Mr. McCague:** I do not personally care how much proofreading people have done of the form. We are not worried whether the spelling is right and the commas are in the right spot. We are worried about the content of the form. Proofreading does not do a thing about that.

The minister said in his comments there was a form going out from the Ministry of Revenue. I know I cannot ask him questions here, but is this the form? He might nod his head. Is this the form from the Ministry of Revenue or is there another hidden one that we do not know anything about yet? We would like to know. This one does not say who did it. I have no idea.

The minister comes in this House and tells us that the reason he was not here yesterday was because he was meeting with municipalities. Great glory to him. What was he going to do if we started on Tuesday and went into Wednesday? He was not going to be here, so he should not give us that balderdash.

**Mr. Morin-Strom:** I am pleased that the minister is here today to at least give us a couple of minutes of responses, although his initial remarks did not address some of the serious issues that were brought up yesterday by opposition members regarding this bill; two specific areas, one of them French-language education rights. It appears, according to this, that we are going to be restricting francophones from being able to vote for their own councillors in this situation because certain exclusions are not being provided for.

In particular, cases where the individuals come to our country from foreign lands where they may have had another first language which is not French or English, but their second language is French, and they are not going to have the right to participate in the election of trustees. As well, I have concerns about the requirements on being able to vote for the Roman Catholic school board. There are cases where



individuals are having their children go to the Roman Catholic school board but they are not Roman Catholics themselves and in some cases, in order to get certain programs, they have to send their kids to Roman Catholic school boards.

This board says that the ability to vote as a separate school elector is available only to Roman Catholics. How do we disfranchise people who have their children in those systems and take away their right to be able to vote for their representatives?

I would appreciate it if the minister and his parliamentary assistant would become more substantive in addressing this bill in the comments to come.

**Miss Martel:** I am glad to see that the minister is here. I must point out, though, that some of the concerns that I raised yesterday concerning this bill have not been addressed either.

First, I go back to some of the comments that my colleague made, in particular, about the comments made by the Carleton Board of Education concerning French-language education rights. Whether the form was well tested, as the minister has said, Carleton certainly did respond strongly in this regard. The minister has not moved any amendments to change that situation, and he will be disfranchising a large number of new Canadians who otherwise associate themselves with the francophone community. I say to the minister that I am dismayed that his ministry did not see fit to make the changes requested by the Carleton board.

Second, I want to point out that I asked yesterday what kind of campaign the ministry was going to be running in terms of advertising. I know the French teachers' association in the Ottawa region wanted to run a parallel campaign to sensitize francophone voters to this type of legislation. I have not heard today what kind of campaign will be run on their behalf or with them.

I have not heard anything about a campaign for the ethnic community. In the minister's statement when this bill was first introduced, he said that the ministries would be working with people whose first language was neither English nor French. I have not heard how that is going to occur and what groups have yet been contacted or if, indeed, a network is even there.

There are some serious problems that I do not think the ministry has dealt with, and I must say I am dismayed by what has happened over this bill.

**Hon. Mr. Eakins:** There were two particular items here which were raised. One was Ontarians

whose first language is neither English nor French. I just want to say that with the assistance of the Ministry of Citizenship, the third-language media will be briefed on the new system and encouraged to explain it to their own communities in their own languages.

The ethnic organizations across the province will be sent material about the new process and will be briefed on this. They will also be asked to help members of the communities to fill out the forms. The Ministry of Revenue will be operating a well-publicized toll-free telephone service in English, French and several other languages for people requiring assistance with the form or just seeking general information.

Also, the question was raised regarding whether the forms properly provided for identification of francophone electors. The form was designed in accordance with the provisions of the Canadian Charter of Rights and Bill 75, the Education Act amendment dealing with French-language governance. The form has been reviewed by the Ministry of the Attorney General to ensure its compliance with the charter and Bill 75. The right to be a French-language elector is determined by the Canadian Charter of Rights.

**Ms. Bryden:** I am really shocked at this bill's coming in during the dying days of the December sitting, when the government had two and a half years to redo the assessment system and electoral enumeration.

I think it shows the immaturity of this new government that it would attempt to put through a bill of this sort and this complexity in such a hurry, with so little opportunity for public hearings or for fine-tuning it to fit the visually handicapped or for looking at problems which have been brought to my attention where women are concerned about the posting of lists showing that women are living alone. We have not yet found a solution to the problem of how to protect those women from having it published to the community that they are living alone. Whether we need something like unlisted numbers or a record in the clerk's office as to who is eligible, we have to look at problems like that and there has been no time to do that.

We all know that the previous assessment system was terrible. The government had been doing it, though, for about 10 years and had never managed to correct it, neither the previous government nor the present government. But this time, it is trying to ram through something that is ill thought out and it is just plain foolhardy to try to put this through so close to an election.



1610

As a representative for the Metropolitan Toronto area, I am particularly concerned about what this is going to do to the whole electoral process in the metropolitan area because we are going in for completely new boundaries and a new electoral system for the metropolitan area. That will create enough confusion in people's minds without adding the confusion of a completely new method of assessment and a completely new kind of enumeration. I am sure many people will be disinclined to vote because they will be so confused by all the changes as to whether they are on the list or how they get on the list or why they have been left off the list.

As far as information goes, I had a member of my research staff phone the ministry asking for copies of the forms and for copies of the letters the minister had sent out to municipal clerks and to school board administrators explaining what was going on and how one would identify different kinds of school supporters. I never received any of the information that I asked for. This is the first time I have seen the copy of the form. Just looking at it, the form is enough to confuse most electors.

It seems to me that the government is showing it is foolhardy in proceeding with such a complicated change just before municipal-election revision for the metropolitan area goes ahead, and for all the other residents of Ontario as well, who have been used to a former system of assessment. They may not have liked its results entirely, but this is so different and so new that we really have to have a period of working out the bugs, hearing what the public thinks about the proposals and what it thinks about the forms.

Perhaps we have to have a period of enumerations that may or may not result in elections, where there is a chance to iron out the bugs. Rushing into a municipal election this fall is definitely going to mean great confusion in Metropolitan Toronto and across the province.

We should be making sure that the government shows its maturity by considering withdrawing this bill and then, after the various comments that have been made in the House have been reviewed, bringing in a new one which would take cognizance of those comments and then sending it to public hearings and putting it through the Legislature at a much more leisurely pace.

I will not go into all the shortcomings of it because my colleagues have done an excellent job in the course of the debate in pointing out the many anomalies. I think the members of the third

party have also pointed out a great many of the anomalies.

The minister should be listening. It is really unfair to expect a minister who has just taken over a portfolio to put through such a flawed bill. He is being asked to sponsor this and to persuade the Legislature that this is a good bill, whereas instead he is really being the fall guy who has to put through a very bad bill just because the Liberal majority has decided that it is going to listen to the bureaucrats who have been planning these revisions for years, but that it is not going to give us a chance to modify and fine-tune the new system. That is why I say the government is showing its immaturity. It could show its maturity by withdrawing this bill.

**Mr. Cousens:** It is arrogance.

**Ms. Bryden:** It is both immaturity and arrogance, but I am afraid from past experience we expect arrogance from majority governments.

**Mr. Cousens:** We never had as much as this.

**Ms. Bryden:** Also, I do feel that the provisions for the francophone voters are very unclear, and that is a big area where we must have public hearings and more input from the voters affected, and also for all the separate school supporters, because they are also working through Bill 40 and the new changes there and there will be disputes and debates about who is a public school supporter and who is a separate school supporter.

This bill is really bound to cause more trouble than even the previous assessment system did. I know it put all sorts of dead people on the list. I have canvassed door to door with it and found that it had people who had left that residence 10 years ago. They put the form in and nobody returned the form and said that person was not there any more.

There is one clause in this bill that I think is very bad; that is, when the electors are notified of who is on the list, according to the proposed law, it is only necessary to send one copy to each household for all the voters in that household. How do we have any guarantee that people who are sharing a house will share that particular piece of paper and see who is actually on the voters' list? Will the owner of the house post it in the hall so that everybody can read it?

I think every voter is entitled to a separate notice that he is on the list and what the details are about him, as to his school support and status as an elector. I think that one mailing per address, which is section 10 of the bill, subsection 23(4) of the act, is certainly something that should be



wiped out if there are any amendments. I hope there will be no amendments, because I hope this bill will be as dead as a dodo next week.

**The Acting Speaker:** Does any member wish to comment upon the remarks made by the member for Beaches-Woodbine?

**Mr. McCague:** The opportunity arose when the previous speaker mentioned "dodo." I do not equate myself with that, but I just want to reiterate for the minister—and I would like to get his attention for a moment—when we started this debate yesterday, we were told that he would be here momentarily, only to find that he did not show up for the whole day; only to find today that he stood in his place, said what he wanted to say, summed up and then told us that his parliamentary assistant was going to do the summing up for the ministry. Well, he has done that.

**Hon. Mr. Eakins:** I am going to speak again.

**Mr. McCague:** He cannot speak again. He can speak for two minutes now, but that is the only time he can speak again. That is shabby treatment he is giving the opposition, and he owes us an apology.

**Mr. Cousens:** I sensed in the remarks of the member for Beaches-Woodbine that she too is extremely disappointed with the minister, disappointed not only with the fact that he is treating us shabbily. The way the report came to her, she did not have a copy of it before now. Obviously, as an opposition member, she is being treated as badly as we are in the third party.

I think there is a sense here in which the ministry is not looking first to the Legislature, to this House in which to share and to involve those of us who have been elected to dialogue about the acts and the procedures and what is going on in this province. In fact, what is happening is that it was more important that the minister go and meet with a group of people yesterday than to be here and be involved in the important debate of the Legislature. It is more important that the minister go and finish off a statement, and he has now left the House—he is out of his seat, talking to someone else, but not showing the concern and consideration that we are bringing to this bill.

I believe that we are seeing something happen in this Legislature with this bill that reflects an attitudinal problem of the government. I am sure that is the kind of thing the member for Beaches-Woodbine was referring to—an attitudinal problem that says we do not matter and the people of Ontario do not matter. What that amounts to is arrogance.

1620

**Mr. Black:** You know all about arrogance.

**Mr. Cousens:** I am just telling the members something. It comes back to haunt anyone who ever has that, and the member knows that as well as anyone, when one comes up from Muskoka.

I am dreadfully disappointed at the shabby treatment that we are all getting in this House, and at this breach of tradition where now the minister has spoken as if to wrap it up and now he is going to have another wrapup from the parliamentary assistant. Have members ever heard of that before? I never have.

**The Acting Speaker:** Would any other member wish to comment on the comments made by the honourable member for Beaches-Woodbine? If not, would the member wish to reply?

**Ms. Bryden:** I certainly am pleased that the member for Markham and the other members—

**An hon. member:** The member for Simcoe West.

**Ms. Bryden:** —yes, the member for Simcoe West—appreciated that we have been shabbily treated as a Legislature in the handling of this bill. I think that is the important issue. It should be a lesson to the majority Liberal government over there that it should pay attention to this Legislature if it wants to get good legislation, because that is what we are here for: to bring various points of view to the legislation and to be constructive critics as opposition members.

The government is here to listen to what the people throughout the province are saying and what they want. I hope that when we hear from the parliamentary assistant he will suggest that the bill is so flawed that perhaps the government should consider withdrawing it.

**The Acting Speaker:** Would any other honourable member wish to participate in the debate? The member for Mississauga South.

**Mrs. Marland:** I think the unfortunate issue here is that we have now spent two afternoons in this Legislature discussing something that, if it had been prepared properly, could have been dealt with quite expediently. It is really of tremendous concern to me when I look at what we have before us from the standpoint of what it is we are dealing with. The funny thing is that generally good government, if it changes something, whether it is a process or introduces something as a new process, it is for a very good reason.

The concept of this is very good, the idea of it is very good, but that is, unfortunately, where



this legislation ends, because in actuality all the good reasons for having this system in place fall down because of the system itself. If we are not changing something for improved function and improved clarity and easier understanding for everyone, then I have to ask, what is the point in doing it?

We are very fortunate because it is easy for us in this House to understand English. For some of us it is easy or reasonably easy to understand French, but I would like to know whether this ministry has on hand the numbers of languages and the numbers of people within those other language areas who are not going to be able to either read or understand these documents.

I also think it would have been a courtesy for the minister to have circulated these forms that we were all referring to yesterday and today. In fact my colleague the member for Markham, who is a critic in one of these areas, did not even have the benefit of one of these forms yesterday. I think that if a bill is introduced and there is accompanying material, it may even be a positive move for the minister to say, "Be sure that all this material is circulated so that we avoid all the questions."

It is interesting. If you go to the government bookstore there are all kinds of pamphlets available in all kinds of languages. I am disappointed to take note that the minister was amused just a few minutes ago. I do not know what it was I said that amused him, but if these serious comments on my part on behalf of the people of Ontario amuse the minister, then I think that is rather a grave injustice for the people on whose behalf I am speaking.

If you go to the government bookstore, Madam Speaker, you can pick up a copy of one pamphlet, perhaps in 30 or 35 languages. If it is important enough to do that on some subjects, I cannot think of a more important subject than this one. I think, too, the way this is worded is very intimidating and very fearful for some people. This is the form that is called Five Easy Steps to Complete Your Notice. First of all, you have to ask, "What notice is that?" Then you get further down and perhaps you do read where it says, "Municipal Enumeration Notice," but the only bold sentence on this whole form is where it says, "You are required by law to complete and return this notice."

That is a pretty intimidating statement. I recognize the necessity for ensuring that these forms are returned, but I think of people who do not have a faculty with either of the official languages reading, "You are required by law to

complete and return this notice." If they do not have a faculty with either of the official languages, first of all, they do not read that, and perhaps if they have a minimal faculty, that part is quite fearful for them.

Then, when you turn to the form itself, although it says on the front again, "You are required by section 14 of the Assessment Act to complete and return this notice," on what I guess is the reverse—unfortunately, I have only carbon copies of this form and I suppose it is a two-sided form; I would not know that, however, because the minister has not extended me the courtesy of sending me an original form—but on what is either the reverse or the second page of the form, the first thing it says is that this form can be filled out by a responsible adult, etc. On one page it says "you are required," therefore, it must be filled out; then they get to the next page where it says "it can be filled out." It is a very confusing use of language, I would respectfully suggest.

Then it says, "Need help? Contact the regional assessment office at..." I am wondering if this is where the 800 number to which the minister referred a few moments ago is going to be published. Or is it going to be a long-distance number or a local telephone number? We do not have the answers to those questions, but if it is a typical government 1-800 number, I would respectfully suggest that those numbers are very difficult to get through on. They are generally busy, frequently busy. The system is just going to fall apart, because if people cannot get through when they cannot understand this form, they certainly are not going to bother returning it.

What gets tremendously interesting is section 3, particularly where they have to answer the questions about residency. What is the explanation about question 1: "Live in the unit described above? Live elsewhere in the municipality? Live in another municipality? Live elsewhere on this property"? I wonder how many people even in this Legislature today understand what those questions mean. "Live elsewhere on this property?" That is a very vague question.

Interestingly enough, when you go to what should be the explanation under "Notes," it becomes even more complex:

"If you live in the apartment or house described in the section of the form marked 'This notice is for,' check box A.

"If you live elsewhere within the same municipality, check box 2.

"If you live in another municipality, check box 3. If you live in another apartment or house in the same property, check box 4."



1630

Really, with respect, if the minister were in the House, I would be able to address my comments to him. Unfortunately, he is not in the House at this time, and I understand this is his bill. It is disappointing that the minister is not here. He is not in the House at this moment. What is disappointing, as colleagues in my caucus and members of the official opposition have said this afternoon, is that the minister was not here to present his bill and address the contents of his bill yesterday. Apparently, he is not able to stay here for any duration today. Does that mean that the priority of this bill or the priority of our questions is not very high on the part of that minister?

The good thing about our system of government is that we all have to be accountable. I would suggest that a minister presenting legislation should be able to be present at least one of two days and at least a total portion of the second day. Right now he is not here. I think that leads to the whole weakness of the process.

If this is a serious attempt to improve something, I think there should be a serious commitment on the part of the minister to indicate his sincerity on behalf of the people of Ontario. Fortunately for the people of Ontario, the official opposition and the third party are, in fact, belabouring this legislation, not because we want to be spending the time on it, but by necessity we are having to ask the questions and point out the fact that here we have a brand-new system of enumeration which is to go into effect for the municipal elections this year. These forms have to be returned by May 12, I think it is, and none of these questions that have been raised in the past two days have been answered satisfactorily or at all.

If those questions have not been asked, then I have to agree with the member for Beaches-Woodbine that to proceed with this form in this format is senseless because of the difficulty, and how complex what should really be a simple subject has become.

When you look through— Mind you, when I say, “When you look through,” I am pretty fortunate, because I do not wear glasses. That is very small print, even for people with glasses. When you look through this, the residents who are fortunate enough to be able to read it will say: “Another form. So what? Something to do with enumeration. Does that mean whether I vote?” They are going to say, “Why bother?”

That is where we get to the most serious aspect of this whole piece of legislation, that is, that it is terribly important that people bother to vote. It is

terribly important that citizens have the opportunity to vote. In order to do that, they have to be enumerated, they have to be successfully listed on a voters’ list. What I would suggest is that with this system as it is presently printed and presented, we are going to have fewer people on voters’ lists in the municipal elections in November this year in this province. The whole process of municipal representation through municipal government unfortunately is going to fail as a result of it.

The only way governments can work is with representation at all levels. The only way that works is if people can get out and vote and therefore indicate their support for the person of their choice. They cannot do that if they are not on the voters’ list. I suggest, with respect, that we are going to see far shorter voters’ lists this year than we ever have before. People will not deal with the complexity of this, because it is simply beyond them. They will simply set it aside as another typical government bureaucratic step. For what? Not for an improvement, because of the format and the complexity. It is really unfortunate because, in the long run, to have a voters’ list that is established within all municipalities for all levels of government will ultimately, I am sure, save money for those of us who are taxpayers in Ontario.

But if the whole system of government and representation falls down because people simply will not be bothered, although they are told they are required by law, how many people who are required by law to fill out this form and who do not fill it out are going to be processed through our courts? I would suggest, with respect, that it is rather a hollow warning to the public that you are required by law to fill out this form.

The accuracy with which they are able to fill it out makes the whole system fall apart. I hope before this legislation goes any further that the minister will reconsider the necessity to have the timing as it is. Personally, I think if we have waited this long for this format of enumeration, it will not matter if we miss one more municipal election.

What will matter is that when it is introduced it works and is effective on behalf of everybody who wants to be in a position to elect his or her municipal representatives.

**M. Pouliot:** Je voudrais faire un ou deux commentaires sur les remarques prononcées par la députée de Mississauga-Sud (M<sup>me</sup> Marland). J’aimerais attirer l’attention de la Chambre sur l’Avis de recensement municipal, qui est la



formule en question, celle qu'on discute et qui apporte la question suivante.

Il est permis de se rappeler dans le cas éventuel, ou dirais-je plutôt dans le cas réel d'un contribuable, d'un citoyen dont la langue maternelle serait autre que l'anglais ou le français mais dont la langue seconde serait le français, que celui-ci se trouverait dans l'impossibilité, à cause d'une politique byzantine, à cause d'une politique ambiguë, désuète, périmée, dans l'obligation de ne pas être capable d'appuyer un conseil, une commission, des établissements scolaires de langue française.

Qu'il me soit permis non d'accuser mais de faire remarquer au gouvernement qu'encore une fois la francophonie, chez eux, passe au deuxième rang. On peut même aller jusqu'à se demander si ce n'est pas une mesure systématique, une mesure délibérée pour nous garder, nous, francophones, dans l'obscurité. Je n'y crois pas. Je demanderais donc au ministre de revendiquer les droits de la francophonie. Il pourrait le faire avec un coup de plume, avec un amendement.

**Mr. Cousens:** I would like to make just a brief comment on the very excellent presentation by the member for Mississauga South (Mrs. Marland). This is a politician who has served in the municipal government as a councillor for something like seven years.

**Mrs. Marland:** And four years on the school board.

**Mr. Cousens:** And four years on the school board, so she brings a wealth of experience to this office as a member of the provincial Legislature. I would like her, in her concluding remarks in response to this, if she would be so kind, to tell us if she has ever seen a municipality or a government or an opposition or anyone treated as shabbily as we are being treated here. I would be very appreciative if she could just give some comments on the effect this has on all of us.

I do not think the people out there in Ontario understand how important it is for the government to maintain a sense of communication, and that sense means there is going to be sharing of information, a tabling of it in time so that we have an opportunity to review it, understand it, analyse it and assess it. They have talked a good word. They have said this is going to be an open government, and what we have had in fact is a closed door to the truth, a closed door to what is really going on. I am asking the member for Mississauga South if she can give some comment on her reaction to this kind of treatment as a member of the opposition.

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I think the people of Ontario had better start paying attention to what is not happening, and what is not happening is that significant and sincere effort by this government to be honest communicators with all of us. What they have done is to go out to the rest of the world, share these data and then drop them in here when they felt like it. That is not the way to run a good system and that is not the way to get a good response back.

**Mr. Speaker:** The member's time has expired. Are there any other members who wish to make any comments or ask any questions directly on the comments made by the member for Mississauga South?

**Mr. McCague:** Mr. Speaker, I would like to do just that. Undoubtedly you had your speaker on in your office or you would not have raised that issue as I stood.

However, I want to remind the minister and the parliamentary assistant that the thing they probably said the most often during this discussion, debate or whatever you want to call it on the enumeration issue is that the enumerators found it difficult, in fact embarrassing, and so did the person who had to answer the question that was posed by the enumerator. That is the reason we are having a new system, along with, in fairness, the fact that the government wants a better database.

I suggest to the minister that the embarrassment which is going to be caused by this form is far, far greater than any embarrassment caused in the resident-enumerator discussion as to how the form was to be filled out. I wish he would consider that, and I am sorry we are not going to get an opportunity to hear from him again, because there are a lot of unanswered questions.

**Mrs. Marland:** The one thing about our parliamentary system in Ontario is that it has always worked and been accountable on a basis of government and opposition. What we are seeing here, unfortunately, is an example where we have a government with 94 seats. Fortunately, they were not successful last week in regaining a seat which they had from last September.

But what is very interesting is that they have not yet come to their senses, I suppose, nor has it sunk in that there was a message to them last week. That message is that if they do not read the writing on the wall and are not an accountable government, or in fact are not even a fair government where they listen to input from the



opposition parties, they will fail and fall flat on their face.

I thought it was very interesting this afternoon in this Legislature to hear the Premier (Mr. Peterson) suggest that it is OK to operate a child care centre in Queen's Park at a deficit. Is it not interesting, when we have such an open government, that we are saying it is OK to raise those fees for those parents at this child care centre 25 per cent, give it free rent, free telephone, free furnishings and operate at a deficit? It is interesting when you look at that kind of example of what this open government is about and then look at this kind of form to try to improve an enumeration process. All together what you get is a complete waste of taxpayers' money, and I feel that is a very serious disregard to the people who live in this province.

**Mr. Speaker:** The member's time has now expired. Are there any other members wishing to participate in the debate? If not, the parliamentary assistant may wish to make some—

**Mr. R. F. Johnston:** On a point of order, Mr. Speaker: I believe it is customary in the House for members to speak from their own seats. I know yesterday the House leader for the government asked for unanimous consent for the member to cross and sit across the aisle. He then took the seat of the Attorney General (Mr. Scott). Now he has moved to the seat of the Minister of Labour (Mr. Sorbara). I am not sure we meant this to be a chance for him to check out all the government seats over there. I just wonder if we again have to give unanimous consent for him to take the Minister of Labour's seat, or is he happy there?

**Hon. Mr. Conway:** Mr. Speaker, I think we should certainly accommodate the member for Scarborough West, who makes a very good point. I am perfectly content that the member speak from his own place. I sought unanimous consent yesterday for what I thought would be the convenience of the chamber, but I am entirely in its hands. It is quite clear that unanimous consent is required if an honourable member wishes to speak from a seat other his own. If that consent is not offered, then I certainly will not seek it.

**Mr. Speaker:** I believe the member for Scarborough West was asking for unanimous consent?

**Mr. R. F. Johnston:** Exactly. I was wondering if we had to reissue it each day or whether it stood for time immemorial, and therefore which seats he was going to fill.

**Mr. Speaker:** Thank you for your assistance. I really believe, if I recall from yesterday, that that was what took place, so I would ask if there is unanimous consent.

**Mr. R. F. Johnston:** Oh, absolutely. We want to be helpful.

**Mr. Laughren:** Who would quibble about that?

**Mr. Neumann:** I rise to give some concluding remarks with respect to Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. I have learned a great deal listening to the debate yesterday and today, and I want to thank the members of the official opposition and the members of the third party for their constructive criticism and for their support of the general intent of this bill. I think all three parties are very positive in terms of the goal and the objectives of encouraging greater involvement at the municipal level, encouraging greater accuracy in the drafting of the voters' lists for this fall's municipal elections and elections for school boards and public utilities commissions across Ontario.

We heard speeches at the beginning of yesterday's debate from both opposition parties indicating positive support, and speeches following that indicating some criticism and some suggestions for improvement. This may not be the best possible way of doing the job; there may need to be reforms in the future. But we feel as a government that this bill should be proceeded with, that it will be an improvement over the present system. We can watch what happens in the municipal election this fall and, if necessary, we can provide improvements in the future to provide further accuracy and further improvements to the system.

This is an important bill, and the timing of it is certainly not entirely optimum. However, I would point out that the bill was introduced in December. It was sent out to all of the clerks, all of the public utilities commissions and school boards across Ontario. They are anticipating this reform, they are anticipating these changes, they know what is coming and have made preparations. As well, work has gone on in the various ministries. The Ministry of Revenue in consultation with the Ministry of Education, the Ministry of Municipal Affairs and the ministry of francophone affairs have all been involved in the preparation for implementation of this bill.

A public relations campaign has been geared up and is ready to go. That will support the documents which have been spoken to in this House. There will be a multimedia campaign not



only encouraging citizens to fill out the form and send it in but encouraging them to participate fully in the municipal election this fall. Our objective is to produce accurate lists, to produce a good participation by candidates in the election and to encourage a high turnout at the polls on November 14.

We feel that, quite rightly, as has been pointed out by the opposition, this bill is part of a package of reform in the Ministry of Municipal Affairs. We are proud of this thrust. We think it will work well and we are obviously open to suggestions for further improvement as time goes on.

I would comment very briefly, as the minister commented in his remarks, with respect to the change from 21 days to 28 days. I point out that the 21-day nomination period simply alerts the citizens of the community who the candidates are for each of the positions open for election. By changing it to 28 days, it means the citizens are aware for an extra week who the candidates are.

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That does not mean that signifies the start of a campaign. I am sure that in the larger urban areas the campaigns will have started well in advance of the official nomination, as indeed they do in provincial elections. The election campaign starts well in advance of the official nomination of the candidate for his name to be on the ballot. In the rural areas, the campaigns tend to be very short and can continue to be that.

The official nomination date is important to get the ballots printed on time, to give the clerks who supervise the printing and distribution of the ballots ample time to prepare them. In case there are any revisions with people dropping out and having to reprint ballots, they will have ample time to do that, which the clerks have been asking for.

In addition to the ministries I mentioned, there has been full consultation with the Ministry of Citizenship on the government's across-the-ministries multiculturalism strategy. The Minister of Citizenship (Mr. Phillips) has reviewed the action plan to consult the various ethnic minorities in this province of ours to ensure that people who speak neither French nor English as their first language will have as much assistance as possible to complete the forms and will have the opportunity to get some assistance in filling out the forms.

To comment briefly as well, supplementary to the minister's comments about the question of French electors under the legislation, as the minister pointed out, this is being done to implement the decisions of this House with

respect to Bill 75, an amendment to the Education Act, to give French electors the right to elect their own boards. One of the main purposes of this bill is to implement that, and it is done in accordance with the definition under the Charter of Rights in the Constitution of Canada.

It may be that some members wish to expand the definition of French electors beyond what is in the Charter of Rights, but in this bill we are seeking to harmonize the bill in keeping with Bill 75, which was the decision of this House, and also in keeping with the Constitution of Canada.

In conclusion, I urge the members of the House to give approval to this bill. It will set the implementation plan in motion, once we have third reading and royal assent, to have the public relations campaign launched as part of Local Government Week, initially, to alert voters to the importance of local government across this province and then, on into the summer and in the fall, to encourage the voters to participate as candidates and as electors on election day.

Just to conclude on the procedures, the questionnaires will be mailed out to all households. They will have the opportunity to phone a toll-free number or a local number for assistance. If they do not return the form by May 12, then there will be a six-week period when people will go out into those homes and ensure that there is a proper registration of voters.

Then there will be a further revision period in the fall so that there can be changes made to eliminate any inaccuracies. Even then, if, for whatever reason, at the conclusion of that process a person's name is inadvertently left off the list or there is some inaccuracy, a person can go to the municipal clerk and get a certificate and submit that certificate at the polling station and be able to vote on election day.

We feel we have a lot of fallback steps within the process that will ensure that every person who is eligible to vote will be able to vote on election day and to make it as accurate as possible. We feel this bill is a first step forward in moving towards the idea of a more permanent voters' list.

There has been consultation with the officials who do the enumeration for provincial elections to see whether or not in future years, if we can develop this system and update it annually from the information we have and the vital statistics and the assessment role, perhaps we can plug the provincial enumeration into this system and save some money in doing so in the long run.

I feel it is a good bill. It is a positive step and it is part of a package of reform in this ministry. I want to thank the minister for giving me the



opportunity to assist in the Legislature yesterday and today in piloting this bill through. I say to the members opposite that I do not share the criticism of the minister in going to meet with officials in the municipalities. I know this minister believes very strongly in going out across Ontario and meeting directly with municipal officials, not just sitting around a table here at Queen's Park and making decisions from afar.

**Mr. Cousens:** That's just terrible.

**Mr. Neumann:** That is a very positive move. It means we are receptive.

**Mr. Cousens:** We are not sitting around a table. You just come in here to do the legislative work. That is just an outrage.

**Mr. Speaker:** Order.

**Mr. Neumann:** I was not referring to the work in the House.

**Mr. Cousens:** You were so. Mr. Speaker, would you have him withdraw that? It is just an insult to the entire House.

**Mr. Speaker:** Order. Perhaps the member for Markham would remain in his seat.

**Mr. Neumann:** I was not at all referring to the work of the House. I was referring to comments I have heard my minister make on many occasions when he and I were visiting municipalities in different parts of Ontario when he said, "We have come out to talk to you because it is important that we as elected people do not just sit around our tables at Queen's Park and fail to listen to the voters and the citizens directly." I do not apologize for going out into the field and listening to the people out there.

I feel it is a positive step forward. It is part of a package of reform, and I am proud to be part of it.

**Mr. Breagh:** On a brief point of order, Mr. Speaker: I am concerned somewhat that a remark made by the parliamentary assistant needs some explanation and there may not be an opportunity to get it later. He indicated in wrapping up that there has already begun a consultation process of sharing this information with other levels of government. I am concerned that in doing that he may have inadvertently misled us, because on the flyer, which he handed to me himself, it says very explicitly, "This information will be used for these purposes only. The confidentiality of all personal information will be protected under the Freedom of Information and Protection of Privacy Act, 1987."

My point of order is that I would not want the record to stay as the parliamentary assistant has left it, where we have a brochure produced by the government saying the information will be used

for these purposes only. In concluding the debate, the parliamentary assistant leaves the impression that they are already sharing this information with other people.

**Mr. Lupusella:** You missed some.

**Mr. Breagh:** I did not.

**Mr. Speaker:** Order. I do not know if this is going to committee of the whole House, but if the parliamentary assistant wishes to correct the record, he has the right to do that.

**Mr. Neumann:** My remarks may have been misinterpreted, because I was not suggesting that the information that is being sought in the questionnaire, the information which the individuals will fill out, will be shared with other levels of government.

What I indicated is that there has been initial consultation between the people involved in this process and the people involved in the provincial election process to see whether at some point in the future we could have a common system, to have a voters' list that would be common for municipal and provincial elections.

**Mr. Speaker:** The question before the House is—

**Mr. Cousens:** Any chance for comments at all?

**Mr. Speaker:** None whatsoever. Being a former presiding officer, I am certain you will agree with me.

**Mr. Cousens:** I respect the chair.

**Mr. Speaker:** Thank you.

The motion is for second reading of Bill 77.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

**Mr. Speaker:** Shall the bill be ordered for third reading?

**Hon. Mr. Conway:** Committee of the whole.  
1700

**Mr. McCague:** On a point of order, Mr. Speaker: The House leader has said that it should go to committee of the whole House. That might have been the intention earlier in the day. As far as our party is concerned, we do not think there is any use going to committee of the whole. We could not get the answers in debate; we will not get them from the committee of the whole; and the government has refused to consider any amendments, even though it was told so by people outside.



Unless the honourable government House leader has some reason he thinks it should go to committee of the whole, I suggest here that it should not.

**Mr. Speaker:** I wonder if I might once again place the question to the House. Shall the bill be ordered for third reading?

Bill ordered for third reading.

#### INTERIM SUPPLY

Hon. R. F. Nixon moved resolution 9:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing April 16, 1988, and ending June 30, 1988, such payments to be charged to the proper appropriation following the voting of supply.

**Mr. Speaker:** Does the Treasurer have any opening comment?

**Hon. R. F. Nixon:** Yes, I do. I want to inform the House that the resolution which would give us, as a government, the right to undertake the public expenditures until June 30 entails the expenditure of approximately \$9.2 billion.

I would like to bring to members' attention that the House, in its wisdom, gave interim supply to the government extending to April 15 and that was past the end of the fiscal year, which really means that the approval for last year's expenditures is somewhat erratic.

The honourable members would remember that I presented a budget last May, followed by the tabling of the estimates. While we were well into the consideration of the estimates, the election of last September intervened. It is considered by those who know these things that the election itself was an indication of the acceptance of the budgetary position of the government presented last May.

However, the House has the disposition—whatever the components of the various parties are—of approval of the estimates and those have been before us now for a number of months. Even though all the money in those estimates has been spent and it has been spent under the approval of the House through interim supply, the experts who advise me and the other members of the government on these matters have indicated that the House ought to have a chance to give its approval or otherwise of those spending estimates, followed by the normal supply bill.

The supply bill is in the tradition of the British parliamentary practice. It is introduced by the government after the estimates are approved, and

the bill normally gets first, second and third reading in one session and then the bill is offered to the Lieutenant Governor at the end of that.

It is, I suppose, a bit irrelevant that it is expected that in the long run we go through those procedures. I mention it only to indicate that there would be an opportunity for further debate on general expenditures, although it would be dealing with last year's expenditure, as the motion for the approval of the estimates will be brought forward by the House leader after consultation with his colleagues.

I just wanted to set that forward, because it will be nice to get back into a more orderly procedure of the approval of our expenditures. But if the House gives interim supply on the basis of this resolution, it will approve the business of the government until the end of June.

It is my hope that soon after the presentation of the budget a week from Wednesday, on April 20, the Chairman of Management Board will be able to table the estimates of expenditure for this present fiscal year—and it is fairly early in the year—and that the House will undertake the review of those estimates in the normal course of events.

Meanwhile, I look forward to hearing the comments of the honourable members on the motion before us, which approves government expenditures until June 30.

**Mr. Laughren:** I was not intending to take part in this debate. However, I am provoked by the comment of the Treasurer (Mr. R. F. Nixon) that the result of the election was a vindication of the budgetary practices of his government. I think what the election did was grant approval to the budgetary promises of the government, not what it has done since that time. Even government members will know there is a big gap between what was promised during the campaign and what has been delivered since then.

If there is any one common thread that runs through the administration of this government, it is a lack of direction. I think the government must yearn for the days of the accord. The government must sit there and wonder how it ever blew it and got such a big majority. Now, of course, we would not touch them with a 10-foot pole if they offered us an accord. They are on their own and we are going to see if they can fly. During those two years of the accord, we had some of the best government this province has seen.

Something else that surely must be understood by the members is that when the election occurred this past year, what the electorate was voting on was what had been accomplished in the



previous two years. I do not think most members would disagree with that. Would they also not agree as government members that that two-year period was driven by an agenda written by this party and agreed to by that party in order to stay in power?

That is not even a debatable issue. Surely to goodness the members will all understand that. But now that this government is on its own and appears to have no agenda, it is floundering. It really is floundering as a government. I can assure members that is not a partisan comment. That is common wisdom out there in Ontario now. Without the agenda of the accord dictated by this party, this government has no idea where it is going, no idea whatsoever.

I can tell them where they are not going. What they do not understand is that we set them up for this big fall they are going to have in the next election. They have no idea how devious we can be on this side. That is what happened. I want to tell you, Madam Speaker, that you would really have to look long and hard to find out any priorities of this government. I have no idea what the priorities of this government are.

When I went back and looked at the agenda for those two accord years, it was so clear. It was an exciting agenda. It was jam-packed. We wondered at times whether we would get through it all. It did not all work out the way we wanted it. There is legislation we think is terrible.

Interjection.

**Mr. Laughren:** Yes, that is right. I am not even talking about the election results. I am talking about the legislation that was passed. It did not all work out the way we had intended it to, but I want to tell the members that the two-year period was an exciting legislative period in Ontario, but not now. Not now.

When I sit here and watch the government day by day flounder—it really is floundering—it is truly remarkable. They have had six months to get their feet on the ground. Previous to that, we gave them a two-year training program and they still are floundering. Somebody has got to take charge over there to give them some kind of direction because right now they have none.

There is an enormous difference between what was promised during the campaign and what has been delivered since then. We have tried very hard to establish priorities for the government. I think it is clear that the opposition has staked out the whole question of housing as a matter of very serious importance in the province. Those who are in the Metropolitan Toronto area surely must

agree. It is a serious problem and yet we are not getting any answers from the government.

I thought it was so ironic. Someone handed me a clipping today about how builders were paying up to \$160,000 for a 40-foot lot in Scarborough. That is right, in Scarborough. Probably Scarborough-Ellesmere, if the truth was known.

1710

**Mr. Faubert:** Scarborough West.

**Mr. Laughren:** I see, OK.

The Ontario government itself auctioned off 250 lots in Scarborough's Malvern community for prices expected to range from \$140,000 to \$160,000 for a 40-foot lot.

Do members know what the money from the sale of that lot is going to be used for? To build affordable housing for Metro. Is there not something ironic about the provincial government feeding the escalation of land prices in Metro for the purpose of building affordable housing in Metro? There is something strange going on out there.

And yet, when my leader stands in his place and reels off example after example of speculative housing sales in Metro that are leading to these outrageous house prices now in excess of \$200,000 average in Metro, the government has absolutely no answer—none.

We asked the Treasurer a year ago to put in place a land speculation tax. There would be a sliding scale that it was so much if you sold a house within six months and a little less in 12 months and so forth. It would not discourage people from selling a family home at all—not at all. What it do is prevent the kind of speculation that is now going on.

I had a friend who told me of a real estate agent who interviewed a couple from offshore and showed this couple 28 houses in Metro—28 homes. The couple then left and the real estate agent was disappointed that she had not made a sale. She got a call two days or three days later saying that they were going to buy 26 of those 28 houses.

This was an offshore couple buying 26 houses. Now, that has absolutely nothing to do with the provision of homes for people who want to live in them in Ontario in Metro Toronto. It is time the government understood what was going on out there.

You know, the argument I hear from the upwardly mobile trendies is that, "Well, that's because we are now an international city, the way New York City is, the way Hong Kong is, the way Tokyo is, the way Paris is, London"—did I say "London"?



That is not an acceptable answer.

**Mr. Charlton:** You forgot Cambridge.

**Mr. Laughren:** I forgot Shining Tree.

That is not an acceptable rationale for allowing that kind of speculation in homes. It makes no sense whatsoever. It is so far removed from the principle of home ownership that the government simply cannot continue just to sit there and watch this happen.

We understand there are enormous real estate pressures on the market. I think it was the Premier (Mr. Peterson) who said today, "Well, we know that there's a lot of pressure on the housing market." We all know that. What we are saying to the Treasurer in particular is, "You can do something about it."

The money is not big in terms of revenue, and that is not why we are pushing it. It is because we think it would discourage the speculation on homes.

**Hon. R. F. Nixon:** Your offshore friends would pay a land transfer tax.

**Mr. Laughren:** Whatever it took to discourage them from speculating in homes. It really is outrageous.

**Hon. R. F. Nixon:** A 20 per cent tax? We never had a land-spec tax that big.

**Mr. Laughren:** Maybe it is time that we did. But the government will always find a reason for not proceeding with the speculation tax, and it is all self-serving arguments.

**Hon. R. F. Nixon:** The reason to do it is it's wrong.

**Mr. Laughren:** The reason to do it is that they hope to prevent the speculation in single-family dwellings in particular.

I tried to give an example today, as did the leader of my party, of the kinds of inequities that are out there in the system. The Treasurer occasionally talks about justice in our tax system, but does nothing about it. The Treasurer has had three years now, as the Treasurer, almost one—well, since last September—with a large majority, and to this point nothing is happening in terms of fairness out there in the system.

We will see. I do not want to prejudge what is going to happen a week from Wednesday when the new budget comes down, but I want to tell you, at this point in time, given the track record of the Treasurer, I have to assume that it will be more cosmetic change than fundamental change. But I do not want to prejudge.

A few months ago, it was not even a year ago, we pointed out some things to the government. I would like to point out some of them again and

update them a little bit. Since this government came to power the welfare case load in Ontario has worsened by 5.7 per cent. The welfare case load is getting worse. There are, by estimates from Statistics Canada, 160,000 children in Ontario living in families below the poverty level. We know as well that this Treasurer insists on continuing to tax people whose incomes are at the poverty level established by Statscan; they are not my poverty levels.

The use of food banks has never been higher. Every time I see a promotion for food banks, I cringe. Are we really heading for a society in which we require food banks to feed our people? It does not make me proud at all when I see all the good people who are contributing. That is not what we built our system on. We built our system on our sharing through the tax system with those people who cannot get by, and a lot of those people are children. To me, the food banks should be an embarrassment to any government. Any government that sees food banks thriving, if I can use that term, should be terribly embarrassed that this is going on. What makes it doubly embarrassing is that it is happening in Metro Toronto.

Just today the Premier said: "Metro Toronto is a very prosperous community. It's booming, it's wealthy." In the midst of all this wealth, we have the food banks. He cannot tell me that is either justified or necessary. Surely to goodness we do not have to tolerate food banks in the midst of plenty. I think it is truly outrageous. I do not mean to malign those people who are trying to put food into those food banks. What they see is themselves engaging in an act of private charity. There is nothing wrong with private charity, but surely to goodness the system should not have to depend on it like that because we have a kind of system that need not depend on food banks, not at all.

It is part of the inequity and the lack of sharing of our wealth in our society. I look at the unemployment rate. We all hear how the unemployment rate is so low in southern Ontario, and in Metro in particular. In northern Ontario it still flirts with 10 per cent. Windsor is up over 10 per cent, almost 11 per cent, I think. For young people it is still over 10 per cent. That is unacceptable. One thing I do give the government credit for is the movement of ministries and agencies to northern Ontario. I think it has just scratched the surface on that at this point, but certainly that is a move in the right direction.

If the government looks at Windsor, the city of Windsor has contributed to our economy over the



years an enormous amount with the automobile industry, and now it seems we are forgetting about the city. There should be some diversification of government agencies and ministries to places like Windsor as well, not just northern Ontario. I say that so the government knows I am not being parochial about northern Ontario. It takes a big man to talk like that. I really do think we should think about diversification for other communities as well.

It is hard to talk about government policy without continually going back to housing. I will try, but the numbers I see are like 10,000 homeless people in Toronto. I cannot envision 10,000 homeless people. That is a very large-sized town. It is as big as the largest town in my whole riding.

**Hon. R. F. Nixon:** How big is Sudbury?

**Mr. Laughren:** The city itself is about 95,000 and the region about 150,000 or 160,000.

It is my understanding that last year the Ministry of Housing did not even spend all of its allocated funds. Where are the contradictions here? Why are there these contradictions? As a matter of fact, I think that they failed to spend about \$50 million in the last fiscal year and \$40 million in the provision for social housing. How does that make any sense when it is budgeted and you do not spend it?

1720

**Mr. Pouliot:** The northern Ontario heritage fund. I am sorry, I was provoked.

**Mr. Laughren:** The member for Lake Nipigon raises a good point about the northern Ontario heritage fund. I can only assume that the budget on April 20 will deal with the northern Ontario heritage fund.

**Hon. R. F. Nixon:** We will announce it again.

**Mr. Laughren:** They will announce it again, yes. I hope with considerably more money than the first time they announced it. Because, surely to goodness, that money has been piling up there.

Interjections

**The Acting Speaker (Miss Roberts):** Order, order.

**Mr. Laughren:** I was not going to talk about the north, but I must say that whenever I think about fairness and equity among persons, my mind often clicks over to fairness among regions or districts of the province as well.

In northern Ontario there still remains a sense of alienation from the power centre down here in Toronto.

**Mr. Black:** Not in Muskoka.

**Mr. Laughren:** Perhaps not in Muskoka.

Interjections

**Mrs. Marland:** Madam Speaker, do the members not have to be in their own seats in order to interject?

**The Acting Speaker:** The member for Nickel Belt has the floor and if anyone wishes to make comments to the chair he or she may do so by way of a point of order. The member for Nickel Belt is expressing his views with respect to this resolution and I wish him to continue.

**Mr. Laughren:** Thank you, Madam Speaker. I would not mind people heckling me so much if I heckled other people, but I do not.

When it comes to the whole question of northern Ontario, we saw a good example of this government's bailing out totally a couple of years ago when it came to the lumber tax. We have an unbelievable situation going on with softwood lumber and we asked the Premier back in February to bring in some legislation that would challenge the free trade agreement before it became law.

What we said to him was that free trade threatens regional development programs; therefore, we wanted him to bring in legislation that would put in place a regional development program in anticipation of the free trade legislation, in case it became law in 1989.

We gave him some very specific examples. We gave him the heritage fund, which could be treated as a regional development program, and he backed away from it. We gave him the whole question of processing of our resources, because that is also going to be very difficult to do under the free trade agreement.

The Premier backed down. We said to him that what we wanted him to do was to, say for example—we gave him an example—look at Falconbridge that is selling its ores to Norway for refining, transferring them to Norway for refining. They have been doing it for 50 years now. Pass a law that says they must do that in Ontario. That would be a challenge to the free trade agreement when it becomes law. That is my interpretation of it anyway.

We said to the Premier: "Make that a law. Invoke that part of section 104 of the Mining Act. Invoke that. Make it real in Ontario and see what happens. If you are serious about opposing free trade, why don't you do something that shows that you're opposed to it and makes the other guys come to us for changes, not the other way around?"



And you know, the Premier would not do it of course. To this day, and presumably long into the future, Falconbridge will be sending its nickel to Norway for refining. Now, to me as a northerner, that is offensive that we are sending a raw resource offshore for refining when those jobs and that new wealth should be created here.

On softwood lumber the government caved in. Let me tell members how bad the softwood lumber arrangements are. Perhaps for some members who did not follow it in the early stages I could bring them up to date. The US government said that Ontario stumpage fees constituted a subsidy to the forestry industry and therefore they were going to impose an increase on the US side for softwood lumber sold in the US.

The government negotiated a deal with them—and this government agreed with the federal government—to impose a 15 per cent tax here rather than let the money be collected in the US. But listen to the conditions under which that tax was imposed. It really is offensive. By the way, that came to about \$600 million a year in all of Canada and I think in Ontario it comes to about \$50 million a year. I think they have collected roughly \$30 million now, that 15 per cent it collects.

Canada agrees that it will not use the money from the export tax to assist the forest industry, for example by reforestation or building forest access roads; and also agrees it will police the actions of the provincial governments so they do not do this either. There are no constraints on how the US aids its forest industry.

Think what that is saying. We cannot determine what our stumpage fee shall be. We cannot decide to take that money, despite that it is our tax money. We cannot decide that we are going to subsidize the forestry industry through reforestation programs. We cannot decide we are going to put the money into access roads in the forest. I do not know how members feel about that but I really am offended that we have allowed that kind of intrusion on our sovereignty. That is part of the deal. This government agreed to it:

Canada will supply the US on a regular basis with detailed information on the forest industry, including industry-confidential material. There is no requirement that the US provide Canada with any information.

That is the kind of scenario we have set up with the free trade agreement. I understand that the Premier has announced he is opposed to free trade and the government is on record opposing

free trade. But every time we ask the government to put into action what it is saying in words it backs down.

My colleague the member for Sault Ste. Marie (Mr. Morin-Strom) had a resolution that called for the government to take some specific action. The government voted against it. Everybody voted against it. We asked the government just to proclaim legislation that is already there on refining resources. It backed down. We asked for legislation on the heritage fund that would treat it as a regional development program. It would not do it.

So the government wonders why we are so sceptical about government intentions or government proclamations that it is opposed to free trade. I do not think it is very opposed to free trade. Maybe some government members are, but I do not know how they can look at that lumber deal and not be offended as Ontario citizens. It truly is outrageous.

Under the accord that we talked about with such affection earlier, between the Liberals and the New Democratic Party between 1985 and 1987, one of the items in the accord was that there be an independent forestry audit undertaken. There was an audit of the Ministry of Natural Resources' files. It was not really an audit of the forests. Nevertheless, a number of recommendations flowed from that audit, known as the Baskerville audit. To this day the government has not followed up on that audit. To this day the minister is not even replying to my letters requesting information on what he has done on the recommendations of the Baskerville audit.

Things that could be going a long way to turning around the economy of northern Ontario are not being done by the government. How could the government sit there on that heritage fund and not do anything with it—nothing, absolutely nothing—plus the \$30 million from the softwood lumber tax? We do not know what the government is doing. We do not know if it has any kind of adjustment program plans. If it has we do not know what they are. There is unemployment in some of the sawmill communities in northern Ontario. I think my friend the member for Lake Nipigon (Mr. Pouliot) is going to speak on some of these matters on this motion as well. I hope he does. I do not think he intended to, but I think he has been provoked by somebody into doing that.

**1730**

When it comes to northern Ontario, this government that originally indicated it was really going to stake out its turf in northern Ontario and



was really going to do something for the north so that the north would feel it had a new friend in Queen's Park, has not done very much. It can say it is waiting for a more opportune time, not necessarily closer to the next election, but the longer the government puts it off—it sure will not be any further away from the next election, will it?

I can see the wheels turning, slowly mind you, in the head of the Treasurer over there as he is thinking ahead.

**Hon. R. F. Nixon:** You can probably hear them.

**Mr. Laughren:** Hear them turning? Sawdust makes them quiet. I do not want to go on too long.

**An hon. member:** Hear, hear.

**Mr. Laughren:** They did it again.

**Mr. R. F. Johnston:** I think he has been provoked.

**Mr. Laughren:** I have to pull the other speech out of my briefcase now.

**Hon. R. F. Nixon:** You've pulled all the other old ones out.

**Mr. Laughren:** All the other old ones out.

If there is one message that I want to give to the government on this supply motion, it is that it really does not seem to have any set of priorities whatsoever. Since the accord ended there is no agenda, no direction, no priorities. Nobody seems to know where this government is going. It made a whole package of promises during the election and it has reneged on them.

**An hon. member:** We know where we are going.

**Mr. Laughren:** No, I do not think they do know where they are going.

**The Acting Speaker:** I would remind all honourable members it is getting near the end of the day and the honourable member for Nickel Belt is attempting to complete his address. I would request that all members take note of that.

**Mr. Laughren:** It is hard for new members to remember all the rules.

If there is one message for the government, it is that it had better get its act together pretty soon. We have seen the ordering of the business around here in what I would gently call a shambles. Why was there such a panic, for example, on Bill 77, which we just finished debating on second reading this afternoon? That was downright silly. Over the Christmas period, why was there all that fuss about the two resolutions on free trade that

threw this place into turmoil? Totally unnecessary.

I remind the members that the government sets the agenda of the House. The government decides when we come back into session. The government decides when we adjourn. Just remember, the government has no one to blame but itself if things go off the track. The opposition, small in number though it may be, has an obligation to make sure that the government does not behave as badly as the Tories did between 1981 and 1985. That is part of our obligation.

**Mr. Mahoney:** If we ever start acting like that, you tell us.

**Mr. Laughren:** We already are. The government is on notice that this is exactly what it is beginning to do, except that there is a difference. I think there was as much arrogance back in 1981, if not more, but I think the government then had an agenda. I do not believe these people have an agenda with any set of priorities.

**The Acting Speaker:** Would any honourable member wish to comment on the the remarks made by the member for Nickel Belt?

**Mrs. Marland:** I really have held the member for Nickel Belt in very high regard because I have had the privilege of serving as a member of the standing committee on resources development, which he chairs. I really have not heard him make the kind of comments before which he has just made about the history of the Progressive Conservative government in this province. I may say that I do concur with his comments about the lack of direction of the current government. I think his comments about the promises, all the expectations for what we now have as the Liberal government in Ontario have fallen completely flat. There is no vision. I agree there is no direction.

In comparing the present government with the former government of this province, I hope other honourable members will hold, in truth and in fact, that the reason Ontario is indeed the premier province of Canada is because it has had vision, direction and management for 42 years. When we look at the renewed mandate of the former government, it has been recognized by the people of this province themselves. With respect, I think that although the member for Nickel Belt (Mr. Laughren) did sound a little partisan this afternoon against my caucus, he will probably want to reconsider the words he has said somewhat by next week when he contemplates them over the coming few days.



**Hon. R. F. Nixon:** I can understand the member for Nickel Belt feeling badly about the days of the accord being gone. It was the one occasion in the history of democratic socialism in Ontario when that particular tail had a little wagging to do. I think of those days with fondness as well because we used to go out and have dinner with some of the leading members of the New Democratic Party and exchange views. Of course, the member for Nickel Belt did not have the confidence of the other leading members of his caucus at that time and did not have a chance to participate, but I can see why there would be a general regret in this handful of remnant democratic socialists for those glory days.

I too look back on days of minority government as productive and stimulating. I have always said, and never ever denied, that the NDP and the Liberal Party, in drawing from our mutual campaign programs, had a program that was useful and recognized as such by any reasonable person.

But I cannot understand his feeling now that the government lacks direction and vision. I say, without fear of contradiction, that a large majority in this House feel that the direction from the Premier is visionary, strong and clearly understandable. He mentioned in the House today that when this government took office the expenditure of the province, compared to all other provinces in most of the important responsibilities that we have—post-secondary education, provision of welfare services, building roads and so on—on a per capita basis was one of the lowest in the whole of the country, and we have attempted to correct that.

We know it takes much more than money to correct it. It takes the kind of leadership and vision that the Premier has provided and that we are very grateful for on this side of the House, because we feel the province needed it and continues to need it.

**Mr. Mackenzie:** I was a little provoked too, but I think my colleague gave an excellent address. I think there are some comparisons that can be made between the 1981-1985 period, which was a jolt to most of us who came into the House in 1975; to have to literally, despite your best efforts, go to sleep because you had no input at all with the arrogance that was there. The unfortunate point is that is exactly what we have seen since the majority came in with the Liberals in 1987. If there is a comparison, it is of Tweedledum and Tweedledee, and nothing is more obvious than that.

It also seems to me that if there is this great progressive leadership, with this kind of overwhelming support that the Premier has, I invite some of his caucus colleagues to get up and be a little more militant on the Sunday work issue and not leave him carrying the bag entirely, as they seem to be lately, on this issue. It seems to me that he was responsible for getting a lot of them elected, and yet I find an awful lot of them are not shouting very loud at some of the more bitter statements that are made.

They all seem to be coming from the Premier, "There is no way we will back off; no negotiating on this particular issue." Maybe some of them should get behind him and show their support for the Premier a little bit more, rather than sitting back and trying to say to their constituents back home, "Hey, we're really not on side on this particular issue," as some of them have on the deal.

Unfortunately, I think we are going through a 43rd and 44th year of Tory rule in this province. That is the comparison, the Tweedledum and Tweedledee comparison.

1740

**Mr. Villeneuve:** May I also take a few moments to comment on the very fine presentation of my colleague the member for Nickel Belt. I was a bit intrigued that he gave us credit for having an agenda back in 1981. We certainly did have an agenda. The province went through many good years. However, the years 1981-85, economically, were most difficult. We all certainly will remember the interest rates of 1982-84, when they were over 20 per cent. Back in those days, yes, there was an agenda, a clear-cut agenda that brought the province through in relatively good economic shape.

The Premier admitted that he was very lucky indeed to have assumed power at the time he did, when the economic recovery was just beginning and doing very well. I think we have to recall that there was a 1984 federal election which contributed greatly to bringing some semblance of order and economic stability to Canada from a situation that was almost chaotic for many businesses and many farmers who went broke during the 1980-85 period when times were most difficult.

I certainly appreciate that the member for Nickel Belt recognized that there was an agenda. He said he was not partisan, but he was a bit partisan at times when he was speaking. However, he has to recognize that Ontario did come through most difficult times in pretty good shape under Tory governments prior to 1985.



**Mr. Laughren:** I do not really think I should have to apologize for being political in this chamber. I must say that when the Treasurer responded, he did say quite unequivocally that his government had a vision and a direction. I want to give the Treasurer the benefit of the doubt and encourage him to tell us exactly what it is.

**Mr. Speaker:** Are there any other members wishing to participate?

**Mr. Villeneuve:** I rise with some degree of interest to participate in this debate on interim supply, which I guess is to give the blessing to the Treasurer for having spent \$10 billion recently. I guess this is a formality in this House. However, there are a few things I want to bring to the members' attention and possibly to that of the people of Ontario.

I sat down last weekend and worked out my income tax, which I think most of us will either be working on or have done. When you go through your 1987 income tax, you look at what you did in 1986 and 1985. I suggest to members and to the public at large that if they still have the chart that says how much income tax they paid in 1984, for instance, and how much income tax they will pay or have paid in 1987, they should look at both the federal schedule and the provincial schedule. It is very interesting.

They will note on the provincial schedule a tremendous increase from what was paid by the taxpayers in 1984 in this province, when the province was just coming out of very difficult economic times, to what they will pay or have paid in 1987. I suggest that as an exercise that will be a real eye-opener. They will now see why provincial coffers have swelled by almost \$10 billion on an annual basis since 1984.

The interim supply debate is always an interesting one because we can speak until doomsday and it will not make any difference; the money has already been spent. However, it is always intriguing. In my area of Agriculture and Food critic, I want to touch to some degree on the agricultural industry, which has been doing a lot of struggling during the past three or four years.

For instance, we find that agricultural real estate values have fallen tremendously in the last five years. Real value that farmers, agriculturalists, used to borrow money, indeed, the value of their assets, has had a tremendous decrease. This is supported by the annual report from the Farm Credit Corp.

It is a bit alarming, to say the least, to note that the less than three per cent of the population which produces all of the foodstuffs we consume in Ontario, and which has the capacity to produce

considerable for export and does so, is not going through some very good economic times. I think the Treasurer knows that well, being a farmer from St. George himself. I think we have to address this, not on an ongoing basis but over the long term.

I think we have to look at alternatives for some of the agricultural products that are being produced. I know in Ontario we have a tremendous surplus of grains, corn in particular. Certainly, we have an air pollution problem, one about which we tend to point an accusing finger at our neighbours to the south. Indeed, we can do a great deal of improvement in that area.

I am talking about an ethanol-methanol mix in the petroleum we use. We all know that the octane additives at present are highly polluting materials. We have the technology and we have the home-grown grains that can be turned into an ethanol-methanol product, ethanol produced from corn. We could solve pollution problems, pollution problems which in my opinion are very grave. The more petroleum we use in this province and in this country, the more we pollute our air. We have to look at this in a very positive fashion. The ethanol which could be produced from home-grown grains right here in Ontario would be a home-grown solution to a pollution problem that will do nothing but get worse.

Certainly, I would like to see the Treasurer, the Ministry of Agriculture and Food and the Ministry of the Environment work together to provide a climate whereby investors would be attracted to producing an ethanol-methanol, octane-based fuel additive. We have many grain elevators throughout Ontario which could, at a reasonable cost, add the distilling equipment to start solving this problem.

Also, in that same vein, the Ministry of the Environment and the Ministry of Transportation realize we have a major pollution problem with standard calcium de-icer on our highways. We could, again by using some home-grown grains, produce calcium magnesium acetate, CMA, which is only 10 per cent as corrosive—

**Mr. Laughren:** What about the salt mines?

**Mr. Villeneuve:** The salt mines will, I am sure, still have a great deal of use for the product they produce.

However, what we have in the calcium that is used on our highways today is a situation where the then Ministry of Transportation and Communications was found guilty of causing serious problems to some of our orchards in southern Ontario. I think it has to be addressed in a positive fashion.



The municipalities and the Ministry of Transportation are the large users of calcium. I believe there must be a clear message sent from this Legislature that municipalities and Ontario are quite willing to spend some additional money to use CMA, which would be only 10 per cent as destructive to our vehicles, highway structures and the highways themselves, let alone the great benefit the environment would have.

**Mr. Laughren:** Do you not care about Oshawa?

**Mr. Villeneuve:** Oshawa, I think, is doing very well, thank you very much.

**Mr. Laughren:** If the cars do not rust, they will not sell any new ones.

**Mr. Villeneuve:** That would be the aim. Certainly, as far as I am concerned, it would extend the duration not only of our cars but also of our highways and our highway structures and do untold benefit to the environment as a whole.

We have the technology. We need some incentives and some guidance from the ministries here at Queen's Park, as well as from the government of Canada. Whether it is direct incentives or indirect incentives such as tax breaks, I believe it would be a great start in beginning to address these problems.

1750

In the area of agriculture, I questioned the Minister of Agriculture and Food (Mr. Riddell) today on what turned out to be a very popular program, the farm management, safety and repair program; \$50 million has already been allocated in one year and, indeed, it was supposed to last for two years. I think the Treasurer has to look at this and extend this program, at least in the area of safety and grain storage. I think it is most important. Farmers have sent the message out, "Yes, we will be using these grants" of \$2,500 per farm as a maximum. I think these areas must be looked at.

For cream producers, they also have an incentive program to upgrade their particular areas of dairy farming. The program which was under the direction of the Ministry of Agriculture and Food has already run out; the time frame has run out. Many cream producers are still desirous of using this particular program to replace equipment and upgrade their buildings, and I believe the Treasurer should look at extending this program for at least one more year. Many of these cream producers just did not and were not ready to proceed with the capital expenditures last year. The program ran out on March 31.

Free trade is an area that I will not spend a great deal of time on, other than to refer to the fact that the Ministry of Agriculture and Food has put out a paper that says free trade will affect agriculture to the amount of \$95 million annually.

I tend to be one who does not agree with that, and there are many areas that I think could be shot down, particularly where it affects certain commodity groups such as grains and oilseeds. The Ministry of Agriculture and Food says \$30 million there. In effect, it is neutral and possibly a plus for Ontario.

In livestock and red meats, they have said there would be an \$18-million gain. That is a very small conservative estimate, and I am quite sure that in the long run much more than \$18 million of positive advantage will be received there.

It was suggested the dairy industry would lose some \$10 million. I think in the most recent announcements by the Department of Agriculture in Ottawa, they say the dairy industry will not be touched.

What we have to watch is the General Agreement on Tariffs and Trade decisions. We must be ready for some decisions that will affect us adversely. The free trade agreement, I firmly believe, is a positive move for Ontario. The GATT decisions are the ones that we have to monitor very, very closely. The GATT decisions will affect us, as they already have in the grape industry and the wine producing industry, and this is where this Treasurer, living right close to that area, has to provide some immediate assistance to those people who are in the grape producing areas. I believe they are very adversely affected, particularly by the recent GATT decisions.

As far as new crops are concerned, I believe Ontario, situated where it is with a very good land base, must explore new crops. I believe some crops have been experimented with. However, there is a great area of new crops, and not necessarily crops that will be produced as food. We all know that the primary area of concern for agriculture is that of producing food, but as I outlined earlier, I think we have to look at those areas that are not food-producing, such as the production of ethanol. In the production of ethanol, we will be producing a byproduct, the 28 per cent protein byproduct, which has tremendous export potential to Europe, probably to the Pacific Rim, certainly to those countries that have a livestock-based agricultural industry.

Locally, as far as the riding that I very proudly represent is concerned, we will be meeting with

the Ministry of Agriculture and Food along with the Ministry of Natural Resources. The South Nation River Conservation Authority, one of the oldest conservation authorities in the province, has a very major project which it is contemplating. At present, there is repair work being done in the riding adjacent to mine, the riding of Prescott-Russell, in the area of Lemieux, where we have a very unstable type of terrain. There is a strong possibility that the small hamlet of Lemieux is on a very precarious perch on the edge of the South Nation River, and there is a good amount of money to be spent to stabilize the banks of the South Nation River in that area.

However, the major problem area for the South Nation River Conservation Authority lies in three distinct areas: the South Branch, which very badly needs to be dredged; the Plantagenet channelization in the riding of Prescott-Russell; and the problem area in the township of Cumberland and close to the village of Bourget. These three main areas require channelization and considerable work, to the extent of some \$15 million. This is where we will be meeting with the two ministries in an attempt to put a long-range program in place so that within the next three to five years most of this work can be completed.

We have in the South Nation River conservation area watershed large areas of class 1 soil that floods not only in springtime, at this time of the year, but throughout the growing season—major problems. We have many tile drainage systems in place that are not working well, because of high water and flooding. These farmers have already spent \$300 and \$400 per acre to tile-drain and, indeed, without adequate outlets they are going to run into some major problems. The tile drainage systems will silt in, and it will be money that has been spent and is certainly not benefiting them to the amount that it could and should be benefiting them.

The St. Lawrence Parks Commission is one of the nicest areas of eastern Ontario, and I certainly welcome all members at some time or other to visit Upper Canada Village and the St. Lawrence Parks system along the southern limit of the St. Lawrence River. St. Lawrence Parks has been requesting additional funding for two years now.

We have the Upper Canada Playhouse, a live theatre. It is in a very temporary building, one that may not even last the year 1988. If this Upper Canada Playhouse became part and parcel of the St. Lawrence Parks Commission, I think we would have every possibility of turning that area into what Niagara-on-the-Lake has with its Shaw Festival. I think we have every possibility there, with some assistance from the province.

When this government came to office, it accused the previous government of not knowing where eastern Ontario was. I think we are more in the wilderness now than we were back in those days when we were being accused of not knowing where eastern Ontario was.

The squire from Pembroke seems to be wondering what I am talking about. I think he knows full well what I am talking about. The northern and eastern sections of this province must be assisted financially by Queen's Park. We have areas where the people who live there probably do not know—

The Treasurer has just told me that the clock has run out.

On motion by Mr. Villeneuve, the debate was adjourned.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Conway:** I would like to indicate the business of the House for the coming week.

On Monday, April 13, we will deal with third reading of Bill 77, followed by any business not completed today; continuing through next week, as time permits, with government resolution 10 standing in Orders and Notices; followed by the supply bill to be introduced by the Treasurer, and thence to Bill 76 concerning trustee representation, and Bill 106, a municipal elections bill. Any changes or additions will be announced following discussions among the House leaders.

On Thursday morning, we will consider private members' business standing in the names of the member for St. Andrew-St. Patrick (Mr. Kanter) and the member for Sudbury East (Miss Martel).

**Mr. Speaker:** It being six of the clock, this House now stands adjourned until 1:30 of the clock Monday afternoon.

The House adjourned at 6 p.m.



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Orillia L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)  
**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
**Grandmaître, Hon. Bernard C.**, Minister of Revenue (Ottawa East L)  
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**O'Neil, Hon. Hugh P.**, Minister of Tourism and Recreation (Quinte L)

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**Patten, Hon. Richard**, Minister of Government Services (Ottawa Centre L)

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**Peterson, Hon. David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

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No. 43

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**  
Monday, April 11, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, April 11, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### FLOODING

**Mr. Wildman:** Mr. Speaker, I am sure you and other members are aware that late last week there was a major flood emergency in Goulais River in my constituency. I would like at this time to express my congratulations and appreciation to members of the staff of the Ministry of Natural Resources and the Ontario Provincial Police, as well as the Goulais River fire team, for the efforts they made to assist the flood victims and to ensure that the evacuations, when necessary, were carried out well.

I would also like to express my appreciation to the Minister of Natural Resources (Mr. Kerrio) and his colleague the Minister of Municipal Affairs (Mr. Eakins) for visiting the flood scene on Saturday and indicating their willingness to assist. I understand there is a meeting being held this evening at the Mountain View School in Goulais River under the auspices of the local services board, at which time there will be an assessment or an estimate of the damages. We will get an idea of the extent, and I hope then that if there is an application for emergency disaster assistance, the provincial government will respond as quickly as it has over the last few days to provide financial assistance to the home owners who need help to repair their dwellings.

### GAME AND FISH LEGISLATION

**Mr. Pollock:** Last week, a press conference was held at which a number of wildlife groups voiced their grave concerns over amendments to the Game and Fish Act. Representing over 80,000 members, this coalition of organizations questioned this government's commitment to providing effective protection to Ontario's wildlife and real leadership in the natural resources sector. In particular, they are most concerned over the lack of input that this government has sought over the amendments to the Game and Fish Act.

In late 1986, 50 controversial amendments to the act were proposed. These amendments later

died in Orders and Notices. The Minister of Natural Resources (Mr. Kerrio) has stated his intent to once again bring forward amendments to the Game and Fish Act. Such a proposal will surely include those 50 and possibly even more amendments. However, this coalition of organizations was denied access to the complete file of the proposed amendments and in fact was consulted on only three sections related to wildlife rehabilitation, native animals in captivity and falconry.

These groups and indeed all those individuals concerned with Ontario's natural resources are left wondering why the minister is so reluctant to allow input on all these amendments, as he usually does. What does the minister have to hide? Indeed, whatever happened to open government?

### TRAILMOBILE GROUP OF COMPANIES LTD.

**Mr. Neumann:** I want to speak today about a Canadian company which has shown tremendous initiative and taken great risks in the past several years. Management of the Canadian branch of Trailmobile pooled its resources in 1981 and purchased Trailmobile Canada from its American parent company. The new owners have turned the company around, improved union-management relations and increased their market share.

Showing continued initiative last year, the Trailmobile Group of Companies, which I am pleased to say is centred in Brantford, became aware that Fruehauf Canada, its largest competitor, was available for purchase from its American parent corporation. The Canadian owners took a risk and purchased Fruehauf Canada. This bold move was designed to help the combined companies prepare themselves for life after the free trade agreement. The economies of scale and widened product lines would enable Trailmobile-Fruehauf to compete with giant US trailer production firms.

How did the present federal government reward this initiative? It decided that the combined company would control too large a share of the Canadian market. It invoked the Competition Act, and now Trailmobile must divest itself of its



van production line. Coming from a government which has signed an agreement which will in effect create a common North American market, this decision is ludicrous. Trailmobile-Fruehauf will control only four per cent of the North American market.

What has been the result? Because of the uncertainty as to the future ownership of the van production line, sales have dropped substantially and, by Friday, 99 workers in our community will have lost their jobs, with a good chance that many more will be so affected.

#### WORKERS' COMPENSATION

**Miss Martel:** I want to point out to the House the latest fiasco associated with the Workers' Compensation Board. The problem concerns the commutation of WCB pensions. In January 1988, the board approved new guidelines to determine how and when a worker's pension would be commuted.

Under the act, "the board may commute the weekly or other periodical payments payable" to a worker "for a lump sum," and may charge the same to the employer or to the accident fund." The legislation is not restrictive in any sense, but the board has used its discretionary power to narrow the criteria to the point where few, if any, commutations will be granted in future.

For example, the whole policy hinges on employment. If you are not employed or if you have already left the workforce, do not bother to apply. The board has decided that a worker must have a firm job offer before applying. Even those individuals participating in a WCB training program to return to the workforce are not eligible.

Those people requesting a commutation to start a new business or to become self-employed cannot qualify. The board has narrowly defined employment and has squeezed out many who previously qualified. Second, commutation of a pension to pay off debts is considered only when the debt is producing a disability, usually psychological. The worker must provide medical information from a psychologist or a psychiatrist to prove this and to prove that removal of the debts will help him keep the job. By the time this occurs, the worker will probably have lost the job, and then he will no longer qualify, because he will not have a firm job offer.

The new guidelines completely undermine the spirit of the legislation, which was to help workers. The Minister of Labour (Mr. Sorbara) should demand that the board alter or abandon these guidelines completely.

#### MINISTRY PUBLICATION

**Mr. Sterling:** I was very pleased to receive recently the Ministry of Industry, Trade and Technology's publication entitled *Small Business Ontario*. Imagine my surprise in reading the cover story, which outlined the success of Tridon Ltd. of Hamilton the success story of a firm which was built on its trading capabilities, proving, according to the article, that "Canadians can take on the world and win." Don Green, chairman and chief executive officer of Tridon, states: "Once you visit a country, you build up confidence. I never doubted that Canadians could compete anywhere, and we have proved it."

It is not Mr. Green's success that surprises me. Rather, it is the fashion in which this story is presented by MITT in its publication. Correct me if I am wrong, but does this not come from a government which fears free trade, one which has been warning everyone of free trade's devastating effects?

Mr. Green is also quoted as saying, "Because of bigger economies of scale, we'll improve productivity." No, say it is not so: access to more markets may make us more competitive, may allow us to be more productive and perhaps more profitable? Perhaps the Minister of Industry, Trade and Technology (Mr. Kwinter) should take a moment to read his ministry's own publications. He may be interested in its findings. Failing that, he should hire a better proofreader.

1340

#### UKRAINIAN CHRISTIANITY

**Mr. Ruprecht:** This year, 1988, is a significant year for Ukrainian Christians throughout the world. It is the 1,000-year anniversary of the introduction of Christianity to the land called Ukraine. It was in 988 that the Ukrainian people accepted Christianity from Byzantium, during the reign of Prince Vladimir the Great, the ruler of the first Ukrainian state.

The commemoration of the millennium of Vladimir's adoption of the Christian faith provides a unique opportunity for Ukrainian Christians everywhere to reflect on the meaning of their spiritual inheritance. This is the time for them to renew their commitments to the past and to reaffirm their obligation to protect their faith from atheism.

Joining us in the House to celebrate this historic event are distinguished members of the Ukrainian Canadian community: Dr. Peter Hlibowych, president of the Ukrainian Canadian



Committee; Bishop Borecky; the Right Reverend Peter Bublyk; Myron Barabash, World Congress of Free Ukrainians; Joseph Terella; Dr. George Danyliw, president of the Ukrainian People's Home; and many others today.

It gives me great pleasure to extend our heartiest congratulations and best wishes on behalf of the Premier (Mr. Peterson) and my colleagues as we recognize 1988 as the year of the millennium of Christianity in the Ukraine, and we commend its observance to the people of our province.

### DRUG PRICING

**Mr. Reville:** Drug companies are inflating the price of their products with no objection from the Ministry of Health. I can give one example in the time I have. The Upjohn Co. sells 100 Motrin tablets for \$10.56. Its generic, ibuprofen, made by its subsidiary, Kenral, sells for \$3.32—same strength, same quantity. Consumers and taxpayers are being ripped off when these drugs are purchased through the Ontario drug benefit plan. The Minister of Health (Mrs. Caplan) should wake up.

### STATEMENTS BY THE MINISTRY

#### PREMIER'S COUNCIL

**Hon. Mr. Peterson:** I would like to inform the House of a major new initiative by the Premier's Council. As members will recall, the council was established in 1986 with a mandate to steer Ontario into the forefront of economic leadership and technological innovation. It had at its disposal a \$1-billion fund to support science and technology research and development in the private sector and post-secondary institutions.

The 28 members of the council include senior representatives of business, labour, government and the academic community. Over the past two years, they have worked with enthusiasm on the daunting task the council faced. Setting aside private interests, they dedicated close to 1,000 hours of research, discussion and debate to develop a common plan which will serve the interests of all Ontarians. Both personally and as a representative of the people, I would like to thank them for their efforts.

Already, the council has been responsible for other important programs aimed at achieving its goals. Seven centres of excellence were announced last June, with an allocation of \$200 million from the fund. These centres, which are co-operative ventures between industries and universities, are undertaking long-term scientific research and development. They are already

attracting considerable overseas attention and have received at least seven delegations from countries interested in the centres' concept, operations and programs.

Six centres of entrepreneurship were subsequently announced by my colleague the Minister of Colleges and Universities (Mrs. McLeod). These centres are developing programs in innovation and enterprise and seek to provide young people with the skills to operate their own businesses. The council has also initiated a major symposium on entrepreneurship to be held later this spring.

The technology fund has also awarded approximately \$38 million to eight industrial research and development projects in areas of strategic importance to Ontario. These projects were selected after extensive assessments by council and government representatives and range from developing a new form of radar to creating advanced ceramics, plastics and laser microscopes. These projects require close collaboration among firms, universities or research institutions in order to qualify for funding.

As I mentioned earlier, while they were developing these initiatives, members of the council were also taking part in a major review of the competitiveness of the provincial economy, assessing its strengths and weaknesses and determining ways of ensuring continued jobs and prosperity for Ontarians.

More than 1,000 people in business, the labour movement, colleges and universities and government were interviewed in the process. Members of the council visited Japan for a firsthand look at how that country has achieved such remarkable economic success, and the experiences of the United States, Europe and other industrialized countries were reviewed. Within Ontario, strategic analyses were carried out in the key sectors of the economy.

The result of 18 months of work is the Premier's Council report entitled *Competing in the New Global Economy*, which I am tabling here today. This report contains a sobering message, that our economic future is at stake unless we adapt quickly to the new rules governing economic development in the world. Ontario has prospered, thanks in part to our abundant resources, our cheap Canadian dollar and protected domestic markets, but this will not be enough to guarantee continued success. From now on, Ontario will need to create more of its wealth through technological innovation, improved skills of its workforce, better marketing of its products and higher productivity.



The Ontario economy has some fundamental flaws in these areas. In its report, the council has identified weaknesses and developed a comprehensive set of proposals that have long-range implications for the province. The council calls for changes in public policies and programs to assist Ontario to develop the industrial infrastructure it needs to remain among the economic front runners.

By any measure, this report is a major addition to the debate about how we can guarantee a prosperous future for ourselves and our children, but it also represents a crucial step forward in consensus-building in the public policy process. The council marks a unique attempt by Canadians to bring together labour, business, academia and government into a common forum with a common purpose. The results so far show, I believe, a success.

It is my hope that Ontarians everywhere will view it with equal importance in the months and years ahead and that they will become active participants in the debate over how to ensure the province's continued wellbeing. For its own part, the council will continue its work in the coming months with a major emphasis on the people side of technological challenge: the training, education and adjustment issues which will be as important to our future success as research and development or export development.

This government regards the Premier's Council report with utmost seriousness. We intend to begin considering its specific recommendations immediately. In short, this is only the beginning of a process which I strongly believe will stimulate widespread discussion and decision-making on a variety of levels for the betterment of all Ontarians.

#### OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL BOARD

#### CONSEIL SCOLAIRE DE LANGUE FRANÇAISE D'OTTAWA-CARLETON

**Hon. Mr. Ward:** It is my great pleasure to rise and inform the House that later today I will introduce legislation to create a French-language school board in the regional municipality of Ottawa-Carleton.

Le projet de loi marque l'aboutissement d'autant d'aspirations à la reconnaissance du droit à l'éducation pour la minorité linguistique de l'Ontario. J'estime également qu'il atteste l'engagement de notre gouvernement à reconnaître le droit à l'éducation en français de notre minorité francophone en Ontario.

Members will recall that a French-language school board for Ottawa-Carleton was first proposed by the Mayo commission in 1974. The government of the day failed to act on that report, but several subsequent studies on the region's more than 100,000 francophones and the four existing school boards responsible for French- and English-language education continued to support the establishment of a single French-language board.

On December 12, 1985, upon introduction of Bill 75 in this Legislature, my colleague the member for Renfrew North (Mr. Conway), then Minister of Education, stated that the government intended to introduce legislation which would allow for the establishment of a French-language school board in the Ottawa-Carleton region in time for the 1988 municipal elections. I am delighted to affirm today that our government will indeed make good on that promise.

On that same date in 1985, the minister announced the creation of an Ottawa-Carleton French-Language Education Advisory Committee to address issues involved in the creation of the new board and to consult with constituent groups affected by the proposed changes. The committee, chaired by Albert Roy, released its report on January 2, 1987. It recommended a single French-language board composed of two sectors. I wish to take this opportunity to express my sincere thanks to Mr. Roy, members of the advisory committee, as well as to members of the Ottawa-Carleton planning and impact committees for their continuing determination and dedication to this most worthy goal.

#### 1350

The legislation I am tabling today provides a legal framework for the following: one French-language school board with two sectors, one Roman Catholic, one public; the board's composition, being a minimum of seven elected trustees per sector and additional trustees to be determined by a formula set out in the legislation; the duties and powers that are exclusive to each of the sectors and to the full board; the exclusive power and duty of the new board to offer instruction to French-speaking pupils who desire and qualify for a French-language education; the transfer of staff working in or on behalf of French-language schools from the four existing boards to the new board, or to its sectors, under the collective agreements or employment relationships currently in force; the transfer of school facilities currently occupied by the French-language pupils and the transfer of other assets from the four existing boards to the new board;



and a mechanism for the resolution of disputes that arise during and after the implementation of the French-language school board.

The proposed legislation also deals with finances. It provides that the public and Roman Catholic sectors of the new French-language board will share in the legislative grants under the Education Act. The sectors of the new board will also be entitled to a share of local property taxes raised for educational purposes.

Many groups have expressed concerns regarding the financing of the new board. They view it as essential that the sectors have sufficient financial resources to maintain the quality of programs and services that are currently available to all French-language students in the Ottawa-Carleton region.

My ministry realizes that the new French-language board will require a number of years to fully develop its local assessment base. I wish to state clearly today that in keeping with this government's commitment to the provision of French-language educational rights, we will provide special, temporary grants that will enable the sectors of the new board to offer the same quality of education as that available to the French-language students in Ottawa-Carleton.

These special funds are to be flowed to the sectors of the Ottawa-Carleton French-language school board by the Lieutenant Governor in Council. For 1989, special grants will be initially estimated by applying levels of expenditures reported in 1988 by the existing four boards in Ottawa-Carleton to the number of pupils who register in the sectors of the new French-language board and the assessment available to the sectors of the board. The actual level of special grants will be adjusted when the final estimates of the Ottawa-Carleton English boards become available and when the new board's enrolment figures and tax support data are determined.

I must emphasize that these temporary grants are to be provided only until such time as this government completes its review of the financing of elementary and secondary education in Ontario. It is my intention to further address this topic in the near future.

Members will recall that last month my ministry delivered to both French- and English-language educational groups a consultation document on the ministry's proposed legislation for a French-language school board for Ottawa-Carleton. Major groups representing French-speaking Ontarians and other concerned organi-

zations took part in special consultation sessions at which their input was sought and recorded.

At this time, I would like to thank all those who participated in the consultation process and assure them that their input has been of great value to the ministry. We have incorporated several suggested changes into the bill and we will continue to consider other recommendations throughout the legislative process. It is my intention to recommend that this legislation be referred to a committee of the Legislature and that public hearings be held in both Ottawa and Toronto.

À mon avis, le projet de loi est conforme aux droits constitutionnels conférés à l'article 23 de la Charte canadienne des droits et libertés ainsi qu'à l'article 93 de la Loi constitutionnelle. Cette mesure historique souscrit de façon positive aux attentes longtemps exprimées de la communauté francophone d'Ottawa-Carleton.

I appeal to all members of the Legislature to join me in demonstrating Ontario's commitment to the recognition of minority French-language educational rights with their support of this legislation.

#### LOCAL GOVERNMENT WEEK

**Hon. Mr. Eakins:** Today is the first day of Local Government Week in Ontario. Local Government Week, as many members know, began in Ontario four years ago. It provides local government bodies—not just municipalities, but school boards and public utilities commissions as well—with an opportunity to tell their constituents about the important role played by local governments in Ontario. It offers them an opportunity to participate in special events that focus on different aspects of local government.

Over those four years, Local Government Week has been celebrated by many municipalities across the province. The concept has been adopted by a number of other provinces as well. They believe, as we do, that well-informed citizens will become more involved in selecting the best people to make the decisions that so profoundly affect our lives.

This year, Local Government Week is especially important because 1988 is a municipal election year.

The participation in Local Government Week of municipalities, public utilities commissions and school boards across Ontario, with open houses, council meetings and other special events, can only help make people more aware of what their local government does for them.



I am proud to tell the members of the Legislature about something new my ministry is doing this year during Local Government Week. We have recently produced videos and handbooks in eight different languages to introduce members to Ontario's system of local government. They have been put together with assistance from the Ministry of Citizenship as part of the government's multicultural strategy.

A better informed electorate means a stronger, healthier local government and a strong, healthy local government is indeed important to all of us.

## RESPONSES

### PREMIER'S COUNCIL

**Mr. B. Rae:** I want to respond to the Premier's (Mr. Peterson) announcement today. I simply want to say that obviously, in the very short time I have had the report over the lunch hour, it has been difficult to read the whole thing. However, I have had a chance to read much of it and I want to make some preliminary comments, if I may.

The major point I want to make is that I think the government has its approach backwards. Instead of talking about human problems and labour adjustment as an afterthought or as the next stage of the problem, it seems to me this government ought to be dealing with that head on. It ought to be talking about that first and ought to be making that the focus of its effort.

We have had report after report on, in quotes, "the restructuring of the province of Ontario." Indeed, the last election but one, in 1985, was launched by the third party on the basis of a new approach to a new entrepreneurial Ontario. What I find particularly troubling in this document is the rather, I might say almost casual, comments that are made about the future of some industries and some people working in those industries, without any mention of what is going to happen to them.

The report, for example, makes it very clear that in its view the so-called low-wage businesses, which, I would tell the Premier and the government, employ literally hundreds of thousands of people in this province—not a few people but hundreds of thousands of people—are declining, we are told; I am quoting, "and should continue to diminish in importance."

I think we are allowed, on behalf of those workers, to ask just what is intended for them. I think we are allowed to ask on behalf of the women who are making \$4.50 or \$5 an hour and working on Spadina Avenue if it is the government's brave new world of the Liberal Party that these industries are going to disappear. Perhaps

we might ask, "What is going to happen to those workers?"

I would have thought that a document which talked about the future of this province would talk about the future of its people as well as the future of "large industry and large companies" in the province.

I must confess that of course it is important that there is now more planning and discussion at the industrial level with government and with all the partners as to what is going to happen. My first concern is that there is not enough focus. There indeed is not that central focus which we would want to see in our province on what happens to people.

1400

My second concern is that I am still not clear, both with respect to this council or with respect to the Premier's Council on Health Strategy, what is going to happen to these documents and what is the relationship between what is said and what is done. We have no major disagreements, I suggest, even in this House, on some crucial things that need to be done. What is lacking and what remains lacking from this government, as from previous governments, is a sense of how it is going to be done, a sense of how to make it work.

They cannot have the government and bureaucracy over here with the Premier at its head, a Premier's Council over here with the Premier at its head saying, "This group is now going to report to this group," and hope that it will be made operational in some ways. That is fundamentally incoherent as an approach to how to do things, and that is the problem we face.

### OTTAWA-CARLETON

#### FRENCH-LANGUAGE SCHOOL BOARD

#### CONSEIL SCOLAIRE DE LANGUE FRANÇAISE D'OTTAWA-CARLETON

**M. Allen:** L'annonce du ministre de l'Éducation (M. Ward) a été une des annonces les plus importantes de ce gouvernement ou de tous les gouvernements de l'Ontario dans l'histoire de notre province. C'est l'annonce d'une démarche historique établissant un conseil scolaire homogène français pour les étudiants francophones et pour les professeurs francophones de la région d'Ottawa.

For us, the announcement the minister has made today with respect to the French-language board for Ottawa-Carleton and the introduction of this piece of legislation is very important. I remember a meeting with the past Minister of Education when several of us in this party pushed



him very hard in the direction of a multifaceted approach to the governance of French-language education in Ontario, and this certainly was part of that.

At the same time, there are many technical aspects to the legislation that is coming forward that we will want to look at very closely to make certain that this enterprise is undertaken in the most effective and efficient manner possible, so that it delivers the best education for the French population in the Ottawa region and does justice to the other boards that are participants in the educational process in that important region of our country.

#### PREMIER'S COUNCIL

**Mr. Sterling:** I want to respond briefly to the statement of the Premier (Mr. Peterson) on the Premier's Council. I would like to congratulate him on the announcement: I understand there was a lot of glossiness to his announcement this morning at Ontario Place. To the surprise of no one, the council's report justifies the Premier's decision to create this body in the first place. Two years ago, the Premier thought he had found a solution and since then the council has been busy finding the problem.

The government has made much of the fact that this report represents a consensus of views of a number of different sectors of our economy and society. I am reminded by my colleagues that the last time this government engaged in consensus-building of this type was with the tenants and landlords and developers of Ontario. That exercise resulted in Bill 51, an affordability and accessibility crisis in housing and an unworkable rent review system.

To this point, the latest exercise in consensus-building has resulted in the production of a glossy package. I caution the Premier that this initiative will be judged on the results of public policy implementation, not on public relations. I am told that the Premier and other speakers this morning managed to talk for about one hour about our future without even addressing the major issue with regard to our economy; that is, free trade. This strikes me as being somewhat peculiar, given the Premier's dire warnings about the impact of the free trade agreement on our province.

It also strikes me as ironic that the report talks about the need to build a national consensus and to pursue co-operative policies in this field. The Premier knows that the majority of the provinces believe that the free trade agreement is essential for our future economic development in Canada,

yet the Premier is opposed to that agreement. I suggest to the Premier that his colleagues in other provinces will regard his sudden concern for their future economic wellbeing with some scepticism.

The Premier has provided us with a detailed and well-researched statement of the obvious. It remains to be seen if his government will be as effective in solving the problem as the council has been in defining it.

#### OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL BOARD

**Mr. Jackson:** I wish to join all three political parties in commending the tabling of the long-awaited Ottawa-Carleton French-Language School Board Act. We appreciate receiving it. I note that the minister indicates it is a promise which he has kept, but again the promise was only that he would table it in the House. It is clear there is much work to do in order to make this bill a reality.

The minister has been apprised of several concerns with respect to how this bill can be implemented. Currently in this House, we are debating Bill 77 which will provide a mechanism by which a completely new enumeration system will occur in this province, and yet there is reference in the statement that the minister hopes to have this in place for this fall and some of the information required by this act will be based on assessments and enumerations, which may not even be completed until late August or September.

There has been concern expressed by the four boards in the Ottawa-Carleton area and our party, too, wishes to express concern that this House should have assurances from the Minister of Education (Mr. Ward), as well as from the Attorney General (Mr. Scott), prior to reorganization that the francophone community can support this reorganization, that there are no legal impediments for the government to create a francophone school board in accordance with the bill the government has tabled, and that the public and separate boards involved can be supportive of the program.

There are outstanding concerns with respect to the transfer of staff, the transfer of students, the transfer of property, and now for the first time in a piece of legislation under a Liberal government, we get a reference to the transfer of assets, which we have not seen before. All these matters are of concern. They will go to committee, and yet next week this House will be debating Bill 76,



which deals in a more omnibus fashion with trustee representation matters in this province.

The minister is aware, painfully aware, that there is a lot of debate with respect to the impact of Bill 76 on the bill he has tabled in the House today. I urge the government to send Bill 76 to public hearings as well so that we can do all of these matters. Finally, boards need to know the funding commitment the government is going to make to francophone education and not simple promises and assurances.

#### VISITORS

**Mr. Speaker:** Just as I was looking around the galleries, I noted we have two former members with us today. In the lower west gallery we have John Lane, the former member for Algoma-Manitoulin; and in the lower east gallery we have Mrs. Margaret Campbell, the former member for St. George.

**An hon. member:** And Albert Roy.

**Mr. Speaker:** Oh, and the former member for Ottawa East, Albert Roy.

#### WILLIAM H. TEMPLE

**Mr. B. Rae:** I want to take this opportunity before question period to ask the House to remember one of its most remarkable members, who died on the weekend—I am sure other members will also want to pay their respects—a long-standing member of my party and a really outstanding individual, Bill Temple.

William Temple is probably known to this generation of Ontarians principally as a campaigner on the subject of temperance. Certainly, the concern about the social effects of alcohol and its effect on our society was something which preoccupied William Temple for all his working life. Anyone who met Bill Temple would know that it was impossible to have a conversation with him on any subject without its turning very quickly to the subject which was, of course, his life's cause, the subject of prohibition and temperance.

I want to take this opportunity to remind members of his really remarkable political career. He was elected to this House in 1948 in the riding of High Park, and of course in that election he defeated the Premier of the province, George Drew, who then went on to become the leader of the federal Conservative Party and our high commissioner in the United Kingdom.

1410

Bill Temple's election was a very famous one. It is not every day that a Premier who is sitting and who is leader of a party is defeated in his own

constituency, though I must say, having witnessed the last election, I began to wonder whether other leaders might also face the same fate. One did and one almost did. It was a very close-run thing.

In thinking over what I would say today about Bill Temple, I had the occasion to read Bill Temple's maiden speech on March 3, 1949. It is quite an interesting experience. The first thing that is remarkable about it is that, like almost every other maiden speech I have seen, it is literally full of interjections, debates, comments. He, for example, refers to the fact that when he defeated George Drew, George Drew's response was to say—and temperance in all things—"Bill Temple was elected on June 7 by the bootleggers and the Communists." That is a standard of political repartee that perhaps we might all not try to emulate, though nothing much has changed.

It is also fair to say that Bill Temple went into politics not simply because of the temperance issue, though that of course was his life's cause. He also went into politics because he believed very strongly in some important values which he talked about in this speech. He talked about the importance of political honesty, about the importance of ending political corruption. He talked about the importance of dealing with our health care problem. He talked about the fact that as late as 1949 the government of Ontario still had not produced a single house for veterans coming back from the Second World War.

He talked about the values of social justice and of family, which motivated his campaign against what he described as the liquor interests. But in talking about the liquor interests Bill Temple also had a vision of a different kind of society and of a decent society; it is for this that I think we all want to remember him.

Having said a little about his career, may I also just say to those members who never met him that he was a remarkable man. Until the very end of his life he was, in a word, feisty. He would come into my office, as I know he came into everybody else's office, full of vim and vigour on any subject of the day, talking about the Grits and Tories as if the election he had been in had just been yesterday, talking with great interest about whatever issues were before the House at that time, always asking personal questions about how one's family was or how one was doing in terms of the ups and downs of the political process.

He was a great fighter. He was a very fine man. I know he will be missed by literally thousands of members of my own party and of his



supporters in the west end of Toronto, but I know he will be missed by members of all political parties. It is in that spirit that I wanted to say these few words today and pass on our thoughts to his family, his wife, his children and his grandchildren, and say how much we are thinking of all of them at this time.

**Mr. Fleet:** I am honoured to rise on behalf of the Ontario government and my party to praise a great Canadian, William Horace Temple. For almost half a century, Bill Temple was seen as a community institution in west Toronto. He was known as Mr. Temperance for his opposition to liquor, but his contributions were much more than that. Bill Temple served our country in the First World War and the Second World War as a flying officer in both the Royal Air Force and the Royal Canadian Air Force. He was involved in social issues almost all of his adult life. He was a very generous donor to charities and he adored politics.

Bill Temple was an early and keen supporter of the Co-operative Commonwealth Federation. His convictions were so unshakable that, in the midst of the Depression, he quit his job rather than change his political beliefs when pressured by his employer. His faith was rewarded because he took advantage of this forced change to become a successful importer and manufacturers' representative.

Bill Temple sought the support of the electorate several times as a candidate. He electrified the voters of High Park in 1948 by personally defeating Premier George Drew, despite a Conservative sweep across the province. Bill Temple's unswerving dedication to his principles earned him great respect in the community. He and his supporters have preserved a dry area in High Park to this day. In doing so, Bill Temple helped change the lives of his neighbours.

In his later years, Bill Temple could frequently be seen at Granny's Fish and Chips on Bloor Street, talking passionately about politics with his friends. For all of his convictions, he had a good sense of humour and could laugh at himself. Perhaps the most telling example of this was his admission that he destroyed three airplanes during the First World War. Unfortunately, and accidentally, all of them were ours.

William Horace Temple served his country and his convictions with distinction and he will not be forgotten.

**Mr. Harris:** I am pleased to rise on behalf of our caucus and to say a few words in memory of Bill Temple. He obviously distinguished himself in his three years in the Legislature. As many

have said, he distinguished himself by the way he got here, let alone his involvement when he was here.

As others have said, he distinguished himself through two world wars on behalf of Canada and on behalf of what he believed in. As others have mentioned, he distinguished himself—and this is probably what most of us remember him for—with his war against alcohol. Certainly, Ontario and Toronto, and particularly west Toronto, will remember him more for that than for some of his other fights.

I never met Mr. Temple, nor did I know him, but I was impressed as I read some of the background on him in preparation for today. For those of you who have not had the opportunity, even the Globe and Mail article on Mr. Temple gives you a fair insight into the man, into the commitment that he had for his fellow man and into the commitment that he had for the little people, if you like, in their fight against what he perceived as big industry and oppression, regardless of what field it was in.

He obviously was a man of integrity and principle. He not only espoused stands that he believed in but, on behalf of others, he put his job, he put his life, he put himself and he put his family on the line to fight for those principles.

On behalf of our caucus, we remember Bill Temple today and we also extend sympathies to his family.

**Mr. Speaker:** On behalf of all members of the Legislative Assembly, when Hansard is officially printed I will make certain that a copy is sent to the Temple family so that your words of sympathy will reach them directly.

## ORAL QUESTIONS

### RENTAL HOUSING PROTECTION

**Mr. B. Rae:** In view of the absence of the Minister of Housing (Ms. Hošek), I will have to address these questions to the Premier. They concern the number of loopholes that now exist in the law which the government has just extended for another year. I am talking about a building at 114 Vaughan Road, in the constituency of the Minister of Housing.

I would like to tell the Premier that this building was declared vacant because the owner managed to get rid of all the tenants in that building. Having created a vacancy by getting rid of the tenants in the building, the landlord then turned around to convert the units into so-called equity co-ops.

I wonder if the Premier can tell us just what he intends to do to stop the abuses in the law and the



loopholes in the law which allow landlords to make a vacancy in a building and, having made a vacancy in a building, to then turn around and get permission for conversion. In this case, both the city of York and the Ministry of Housing said the conversion could go ahead because the building was vacant. I wonder if the Premier could comment on that loophole in the law.

**Hon. Mr. Peterson:** I wish I could comment. I am not familiar with the situation, but I will indeed ask the minister to look at it and report back to the honourable member.

**Mr. B. Rae:** We are talking about a principle as well as an example. Since the Premier was in the House last week when the minister released her so-called discussion document, he will no doubt be aware that of the 1,008 rental units which have had their applications for condo conversions dealt with by municipalities, 70 per cent have had their conversions approved; and of the 1,410 rental units that had their applications for demolition, luxury renovation and conversion dealt with by municipalities, 76 per cent have had the demolition, renovation or conversion approved. That is the broad policy.

1420

We have a law which is designed to protect existing apartments and stop them from being converted or demolished. We have over 70 per cent of the applications for conversion and demolition being approved on the basis of this government's law. Does the Premier not think that is a lousy law to be extending for a year and that we ought to have a better law which really protects people who are living in apartments?

**Hon. Mr. Peterson:** I appreciate the honourable member's point of view on this matter. As he knows, a discussion paper has been released and obviously his views on the matter are going to be taken very seriously.

**Mr. B. Rae:** I wish I had that sense. I mean, it would be nice, but I do not think that is the problem right now. The difficulty we have is that we have been putting forward these views for the last two and a half years on this question. Our Housing critics in committee pointed out that the effect of the weakness in the legislation would be with respect to conversion.

If I can come back to one point, would the Premier not at least agree to changing the definition of "vacancy" so that we do not have the kind of abuse where landlords can take over a building, can, by a series of carrot-and-stick measures, get tenants out of the building and then turn around and say to the municipality: "Look, it

is a vacant property. What a miracle. We had 32 tenants; suddenly, now it is a vacant property"?

Does the Premier not think he ought at least to change the definition of "vacancy" in the act so that we do not see tenants out on the street so that landlords can carry on these kinds of conversions?

**Hon. Mr. Peterson:** I think the honourable member is being far too humble in this regard. We do have a great respect for his point of view. I appreciate the point he has just made in the House and, indeed, I will take it forward and share it with the minister on his behalf.

**Mr. Speaker:** New question, and to whom?

**Mr. B. Rae:** I will go to the same guy. He is being so amenable today, I will try again.

#### RETAIL STORE HOURS

**Mr. B. Rae:** I would like to ask the Premier a question arising from this question of leases and the question of Sunday working and Sunday shopping. I see him muttering from the side of his mouth that he wants the Attorney General (Mr. Scott) to answer the question. I do not know which one I will get, whether I will get the designated hitter or the real thing. The Attorney General is pointing to the Premier, so he can figure it out.

**Mr. Wildman:** Where is George Bell?

**Mr. B. Rae:** Many of us would like to know where George Bell is. In fact, many of us might be there.

**Mr. Speaker:** Maybe you could try the question?

**Mr. B. Rae:** I wonder if the Premier can tell us—

**Mr. Callahan:** I am surprised you haven't got Blue Jay flu.

**Mr. B. Rae:** I have never felt better, I say to the member for Brampton South.

On Thursday, when I raised the issue to the Premier of the individual small business owner, I raised the question to him as to what particular steps that small business owner could take in the event that a municipality said that the stores could open. The Premier's answer as to how the small business owner could protect himself or herself in terms of spending time with his or her family was, "You do not have to open."

What do you do in a situation where you have a lease that says, as this lease does, "The tenant shall keep the demised premises open for the conduct of such business on such days and during such hours as may be permitted by relevant governmental laws, bylaws and regulations and



as the landlord shall require, from time to time, and in such manner as shall assure the transaction of a maximum volume of business in and at the demised premises”?

How do we deal with the contradiction between the answers the Premier gave on Thursday and the lease I am holding in my hand today?

**Hon. Mr. Peterson:** I will refer that to the Attorney General.

**Hon. Mr. Scott:** The question was asked by the same member on April 6 and answered by me at that time; but just so it will be clear, the lease provision that the honourable member refers to is found in a number of leases, and we have had those brought to our attention as recently as two or three months ago about the problem. I want to assure the honourable member that when the bill of the Solicitor General (Mrs. Smith) is produced in the House, an examination of it will reveal the way in which we propose to respond to that particular problem. I, unfortunately, am not authorized to release the terms of the bill before it is introduced in the House.

**Mr. B. Rae:** I understand the minister has to get it through cabinet first, and I know many of us will be looking forward to hearing about those discussions in all the newspapers and elsewhere. It is five months after he announced the policy and he still does not have it.

Perhaps the Attorney General can tell us if it is the intention of the government to say that no business has to remain open at any time, or is it the intention of the government to say that leases and contracts signed by existing tenants must be enforced and maintained? Which is he going to do? He cannot do both.

**Hon. Mr. Scott:** The honourable member will be interested to know, parenthetically, that it is not that difficult to get matters through cabinet. I am sure both the Solicitor General and I would indicate that we had a very high level of co-operation from our colleagues throughout.

**Mr. B. Rae:** They are even more spineless than we thought.

**Hon. Mr. Scott:** It does not help to refer to people as spineless.

The honourable member last week raised the problem as if it were something that was newly discovered that had just come to his attention. We are aware of the problem and our bill will respond to it. I have the map from the member for Oshawa (Mr. Breaugh) showing where one announces bills in the area marked in red, and that bill will be announced in the House in the

ordinary way. Then, I think, the way we propose to respond to that problem will be plain.

**Mr. B. Rae:** Like everyone else in this House, and indeed elsewhere, I am slower than the Attorney General and I just want to ask him—

**Hon. Mr. Scott:** You were pretty fast last night.

**Hon. Mr. Bradley:** I watched you on Dateline Ontario. You're pretty fast.

**Mr. B. Rae:** I am sure his cabinet members feel the same way that all the rest of us do when we hear him speak, but the question I have for him is quite simple. The Premier told me Thursday in this House, quite simply in a very short answer, when I asked him what possible recourse a business person who wants to spend time with his family on Sunday has: “You do not have to open your business. You can keep it closed.”

I ask the Attorney General, is that in fact true? How can it be true when we have these leases which are in existence in thousands of businesses across the province? If somebody wants to shut on a Saturday or a Friday or whatever day he wants to close, right now that business cannot close because of the commitment to maintain a maximum flow of business.

All I am asking is whether that is going to be the law or is there going to be some new law?

**Hon. Mr. Scott:** The answer that the Premier gave is, of course, true. The honourable member makes this point: is it true when the retailer is subject to a lease of the type he has described, and if it is not true in those circumstances, what is going to be done about it?

The answer is that we are aware of the problem and our bill will respond to that issue. I cannot tell the member how we propose to respond to it in advance of its being introduced in the House.

I thought the honourable member was quite quick last night on Dateline Ontario. He moved along really quickly.

**Mr. Cousens:** In view of the fact that a third of the cabinet is away and the Minister of Housing (Ms. Hošek) is absent, I have a question of the Premier. The Minister of Housing was recently—

**Hon. R. F. Nixon:** What are all those blue seats around you with nobody in them?

**Hon. Mr. Bradley:** They are at the ball game.

**Hon. Mr. Scott:** I guess Paul Godfrey's box is full today.

**Mr. Breaugh:** The Blue Jays are leading 4-3, if the member wants to put the score in.

**Mr. Cousens:** For the members' information, the Blue Jays are leading 4-3.

**Mr. Speaker:** Perhaps the member would just take his seat until things quiet down. May we go ahead? OK.

**Mr. Cousens:** We struck a raw nerve.

**Mr. Speaker:** Order. Now for the question.

#### AFFORDABLE HOUSING

**Mr. Cousens:** The Minister of Housing was interviewed in the April-May edition of the Ontario Home Builders' Association magazine. She was asked a simple question. "How do you feel about the affordability problem and what could the government do about it?" Her superfluous answer was this: "I think if people feel that it is hard to get into the ownership market in significant numbers, then there is an affordability problem. But it does seem to me that if we can show that it is increasingly difficult for people to get in the housing market, then we should certainly look and see if there is something government can do about them."

1430

Based on those statements, may the Premier answer this question? His Minister of Housing has not yet determined whether there is an affordability problem and she wants to look and see. How much more time is he going to give this Minister of Housing to look and see?

**Hon. Mr. Peterson:** I have great faith in her. There is no question about it, she is dealing with a complex set of problems, and the member is seeing and will continue to see solutions.

**Mr. Cousens:** It is inconceivable that there is such confusion even in the Ministry of Housing. An astounding statement was made by the Deputy Minister of Housing in October of last year when he said that housing prices in Metropolitan Toronto were 40 per cent higher than they should be and indicated that we risk a city for the very rich and for the very poor. In the Toronto Star on October 17, Gardner Church said, "We already know some ways to cut housing costs and we are studying other ways." The Premier has done nothing to reduce housing costs. What is he doing right now to make housing more affordable for the average Ontarian?

**Hon. Mr. Peterson:** I think if the member will attend just a little bit, he will see new initiatives on top of the ones which have already been introduced.

**Mr. Cousens:** I asked what the Premier is doing right now and I will tell you, Mr. Speaker,

right now has not happened, because there has been no announcement, no gesture of credibility or anything else coming from this government.

I happen to have the speaking notes of the Minister of Housing to a Liberal caucus briefing on February 10, and she says in this, on page 10, when she is talking about what housing means to government: "It's not just a Housing ministry issue. It's a government issue. We will develop partnerships with community groups and social service groups, municipalities and the private sector. We will learn to navigate the choppy waters of community resistance to change." I will repeat the last line in case the Premier missed it: "We will learn to navigate the choppy waters of community resistance to change."

As first minister of this government, what is the Premier doing to solve the housing crisis in Ontario?

**Hon. Mr. Peterson:** I am glad my honourable friend is reading the speech notes of the honourable minister. That is going to substantially increase his own personal knowledge about the housing problem and the need for co-operation right across this province. We have said to him before, and I am sure my honourable friend will agree, that the housing crisis is one which requires responses from all levels of government and needs a high degree of co-operation. We have already seen programs brought forward by this minister, but the member will recognize, as I recognize, that neither she nor this government can do it alone.

That is why it requires the sterling leadership of people like the member persuading people in his own community that affordable housing is part of their responsibility. It may come as a shock to some of his colleagues, but I know of the very high esteem in which the member is personally held in his own community. I would like him to stand up and say, "It's this community's responsibility to provide some percentage—say, 25 per cent—of affordable housing." If the member put his reputation behind it, because it is large, I know he would get a lot of things going in Markham.

#### OTTAWA-CARLETON

#### FRENCH-LANGUAGE SCHOOL BOARD

**Mr. Sterling:** I have a question of the Minister of Education. During the debate on Bill 30, dealing with the extension of funding, in committee and in this Legislature on third reading, our caucus and I put forward an amendment to that bill in which we asked that unified boards be permitted to be created if, in



fact, both boards volunteer to the unification of those two boards. We were told at that time by the government that this would be unconstitutional. Why, then, is it now constitutional for the francophones in the Ottawa-Carleton area whereas it was unconstitutional for every other school board in Ontario?

**Hon. Mr. Ward:** In formulating the legislation that will be introduced later on today, legislative counsel was very much aware of the concerns that had been expressed throughout the community at large with reference to the need to guarantee the section 93 rights of Roman Catholics in this province to govern their own affairs relative to education. We believe that the delineation of the powers of the two sectors that operate under the umbrella board structure in fact upholds those section 93 rights.

**Mr. Sterling:** There are several groups in Ontario which have some trouble with the unification step, one being the Ottawa Board of Education, and I believe the Roman Catholic teachers' association is concerned about it. Because this could be a matter for future litigation, would the minister, on behalf of his government, undertake to refer this particular section immediately to the Court of Appeal so that we can get a ruling on it now before we get involved in a mess?

**Hon. Mr. Ward:** As I indicated in my response to the initial question, the government believes that the legislation as it is currently before us does in fact respect those section 93 rights, and I am not prepared to give an indication at this time that we would seek a referral.

**Mr. Sterling:** If this government now considers that unified boards are constitutional, will the minister now move to permit unified boards across Ontario, whether they be francophone or anglophone?

**Hon. Mr. Ward:** There currently is nothing that prevents public and separate boards anywhere in this province from co-operating on joint ventures or participating on that basis, and we have no intention to move in that regard.

#### INCOME TAX

**Mr. Laughren:** I have a question for the Treasurer on tax fairness in Ontario. According to the federal Department of Revenue, from numbers we obtained from it for the latest available year, which was 1985, there were over 3,000 Ontario taxpayers who earned in excess of \$50,000 a year—as a matter of fact, almost 100 of them earned a quarter of a million dollars—who

paid absolutely no income taxes whatsoever. That same year, almost 450,000 Ontario citizens who earned \$10,000 a year or less paid income taxes. Does the Treasurer think that is the kind of tax system we want in Ontario? Does he agree that it is too regressive and that he will indeed do something about it?

**Hon. R. F. Nixon:** The honourable member knows that, because of the federal-provincial tax collection agreement, the federal government, so far, is responsible for the base for personal income taxation. It is open to me, as provincial Treasurer, to have a tax reduction program which gives a special allocation of funds voted by this Legislature to remove low-income people from the tax rolls. I have done that with each of the three budgets for which I have been responsible, and I wish that we had been able to remove more. If I remain consistent, it is possible that in the budget a week from Wednesday, that trend will continue.

The same is true at the other end of the tax base. I am sure the member is aware that the federal government in its tax reform decisions has reduced the levels of taxation that have affected us all, as income earners, from about nine levels down to about three. While this has had some salutary effects, it has really put an additional pressure on the low end and been particularly useful for earners at the high end once again. This is information that we have discussed in the House before.

I guess it was in the last budget, maybe the one before last—already my memory grows dim—that we established a surtax for high incomes that clicked in at approximately \$50,000 to \$55,000, depending on what tax preferences were available. We tried to improve the progressivity of the personal income tax base that way.

I am saying, in answer to the honourable member's question, I would like it to be more progressive, I have tried to make it more progressive; and in fact I have made it more progressive.

The honourable member remains unsatisfied.

1440

**Mr. Laughren:** More than unsatisfied. Day after day, when the Treasurer is questioned, he makes pleasant-sounding noises about progressivity but, in fact, his actions do not match his words. As a matter of fact, if I could give the Treasurer one statistic, back in 1975, when the Tories introduced the exemption for tax levels based on taxable income, they set a level of \$1,395, below which no Ontario citizen would have to pay any income tax. If that amount had



been indexed since 1975, the amount below which nobody would have to pay any income tax in Ontario would now be in excess of \$3,800. In reality, it is \$2,400 and change.

The Treasurer has had three budgets in which he could at least have gone some way to alleviating that by bringing it up to the level it would have been even if it had just matched the rate of inflation. When will the Treasurer stop talking out of both sides of his mouth and give us a tax system that is at least as fair as what the Tories had, and their system was regressive?

**Hon. R. F. Nixon:** The honourable member knows that however progressive the Progressive Conservatives were on that date in ancient history that he refers to, they unfortunately did not keep it up to date.

**Mr. Sterling:** That's when you were leader, wasn't it?

**Hon. R. F. Nixon:** Yes, but we have moved it forward. Hopefully, if we have sufficient opportunity and sufficient support, we will achieve that level of excellence that the honourable members sees as desirable.

**Mr. Harris:** I am not sure who is more progressive these days, our party or the minister's.

#### TEMAGAMI DISTRICT RESOURCES

**Mr. Harris:** I have a question for the Minister of Natural Resources. The Daniel report on the Temagami resource use issue is now before cabinet. Dr. Daniel says, "After passing the political buck, the report throws the whole thing back in Mr. Kerrio's hands, where it should have been from the start."

I would like to know if the minister agrees, since it is back in your hands, with Dr. Daniel's recommendation that while the government sorts out how it might deal with amending long-term commitments and plans that have been made, the government must honour existing commitments that have been made to employers and employees. I would like to know if the minister agrees with Dr. Daniel's recommendation, and does he indeed plan to honour those commitments?

**Hon. Mr. Kerrio:** Of course, we are now examining the doctor's report. There were those who asked if I was disappointed that they had not reached some kind of consensus. I must share with the people here in the Legislature that it pointed up how difficult it is when you get all of the users in a certain situation and ask them to reach a consensus. They are in exactly the same position as the government might be in when it is

trying to do what is in the best interest of the people of northern Ontario.

So while all of those things are still facing us, and Dr. Daniel has his own appreciation of that kind of situation, having tried to reach a consensus that could not be resolved—I guess what I am saying is that it certainly is in our court. We are prepared now with all of the information that is before us to make a decision and to do what is in the best interest of most of the people affected. It does not surprise me that a consensus could not be reached. We face that sort of circumstance on many occasions when we have to come down and make those very important decisions.

**Mr. Harris:** It was not a bad answer to the question that was not asked. I asked the minister specifically if he was going to honour the commitments. Let me quote further from Dr. Daniel, who I thought did a good job under very difficult circumstances.

He says, after the minister appointed him—it was this minister who appointed him, do not forget. This is after throwing out 10 years of public input and planning. He says, "It was not a hell of a smart thing to do in the beginning, but it allowed the government to buy time." He is talking about how the minister handled the issue. That is Dr. Daniel.

Now, we are dealing with hundreds of jobs in northeastern Ontario. We are dealing with precedents surely that are there, but all I am asking is very specifically that while the cabinet is reviewing—not the industry, really; the cabinet is reviewing the minister and his ministry, that is what the cabinet is doing; it is passing judgement on him and his ministry—all I am simply asking is, while that is going on will he not accept Dr. Daniel's recommendation and live up to the commitments that were made to the mills, to the employers and to the employees, commitments that have been made in writing over the years?

**Hon. Mr. Kerrio:** The honourable member is asking me to share with him what we are doing about this particular report. I do not think it is time for me to do that. I think we are taking into account all the circumstances before us. We certainly are going to make that announcement here at this Legislature when we come to that conclusion. As far as looking after the interests of all the people in northern Ontario and the users is concerned, certainly that is going to be taken into account and we are going to do everything that is possible to maintain the kind of integrity required to keep northern Ontario strong.



## OCCUPATIONAL HEALTH AND SAFETY

**Mrs. Stoner:** My question is to the Minister of Labour. On February 15, a Metro works employee was seriously injured as a result of a methane gas explosion at the Metro Toronto-owned-and-operated Brock West landfill site in Pickering. When will the investigation of the Ministry of Labour be complete, and does the minister anticipate charges will be laid in connection with the explosion?

**Hon. Mr. Sorbara:** I am glad to respond to the question of the member for Durham West. That incident at the Brock West landfill site was a very serious one. It involved, I understand, the buildup of methane gas in a weigh-scale house, with ignition of the gas. One worker on that site suffered burns to some 30 per cent of his body.

In answer to the question of the member for Durham West, I can tell her that our investigations at the Ministry of Labour commenced immediately. Appropriate orders were issued to stop work at the appropriate locations. Those investigations are still going on. They are still going on with officials from the Ministry of the Environment as well.

I am afraid I cannot tell my friend from Durham West precisely when those investigations will be completed. I anticipate they will be soon. I do not want to give out any details of the investigation, because that may prejudice our decision whether or not to bring charges in this case, but I hope I will be able to bring further information to my friend rather shortly.

**Mrs. Stoner:** Perhaps the minister can tell me what steps are being taken to prevent such an accident from occurring again. Is his ministry satisfied with these steps?

**Hon. Mr. Sorbara:** Well, when a worker suffers an injury like the one at this landfill site, one does not generally talk about satisfaction. Of course, the issue is, how in the world are we going to prevent a recurrence of the kind of accident that occurred? We have been doing extensive follow-up testing at the site and we are in a position now, I think, to say that the steps that have been taken, including the putting into place of an alarm system which will sound when the lower explosive level reaches 10 per cent, that will be put into place; and a mechanical fan will be activated at 20 per cent of lower explosive levels. We hope, and we are satisfied in effect, that, those steps having been taken, we will not see a recurrence of that sort of incident.

## POLYCHLORINATED BIPHENYLS

**Mr. Pouliot:** My question is to the Minister of the Environment. A recent study conducted by

the Department of National Health and Welfare has revealed high levels of polychlorinated biphenyls in the blood samples of native Canadians on the reserve of Big Trout Lake, approximately 500 kilometres north of Thunder Bay, and in other northern communities. Also, alarmingly high levels were found in women of child-bearing and nursing age, putting the welfare and the health of future generations at risk as well.

The people of Big Trout Lake and surrounding communities are confused. Those people are scared and those people are angry. What assurance will he give the residents of Big Trout Lake that he will do everything humanly possible to remove the PCB contaminants up north?

1450

**Hon. Mr. Bradley:** I guess all of us face problems in this particular situation of removing PCBs. In this particular case, they are located on federal land that belongs to Environment Canada's weather service up there, so they have been making a plea to the federal government to remove the storage of PCBs, which, by the way, are securely stored.

Right across Ontario, when we talk about PCBs, the easy part is to say that they should be moved. The more difficult part is to say to which location they should be moved. Until such time as we have a full method—and we are developing and implementing that method now—of actually destroying them, either on site or finding a central location eventually for dealing with PCBs of this kind, it is the policy of the government to ensure that they are securely stored. I understand those concerns. They are shared by me and they are shared by people in many parts of the province.

As we do more intricate testing, as we have instrumentation which is even better than it was in years gone by—we measure now in parts per quadrillion—we find these problems existing.

I instructed officials of the Ministry of the Environment to meet with officials of the native peoples in that area, and they did attend a meeting. We offered our co-operation at that time in determining the specific extent of the problem, whether it is a problem on a continuing basis or a historic problem, and we will take whatever action—

**Mr. Speaker:** Thank you.

**Mr. Pouliot:** I can hardly believe what I am hearing. The minister is talking about jurisdictional capacity and I am talking about PCBs. PCBs scare the heck out of people, as well they should. The minister should stop passing the buck. He should remember Minamata disease.



He should remember the 15 years it took the previous government to address our first Canadians being poisoned in the English-Wabigoon River. How can he stand there, rather than put pressure on the federal government, and talk to me about jurisdictional capacity when people are being poisoned?

**Hon. Mr. Bradley:** I do not think I talked about jurisdictional problems in this particular case. I simply wanted, for the members of the House who may not be as familiar and as intimately concerned as the member, to outline for members of the House where the problem specifically existed and what actions were being taken. I have indicated to him the full co-operation of the Ministry of the Environment in this regard. Our officials have discussed this problem with them.

I should not do this, but I often say it to people, I invite the member to say where we should put the PCBs once we take them away. That is a problem. That is not to say—

Interjection.

**Hon. Mr. Bradley:** I have PCBs in my riding as well. I have a lot of PCBs in my riding from old electrical plants there. I share his concern, as he does for people in this area. I do not want to ever diminish it. I compliment him for bringing it to the attention of the other members of the House, but he has my assurance of the full co-operation of the Ministry of the Environment in attempting to find a solution to this problem, which legitimately brings concerns to people, whether it is in northern Ontario in this specific location or any other part of Ontario.

#### QUEEN'S PARK CHILD CARE CENTRE

**Mrs. Marland:** My question is to the Minister of Community and Social Services. Last week, I brought to the attention of this House our concern for the Queen's Park child care facility. We read in the Toronto Star today a quote by a member of the minister's staff that the problem is now resolved, although the minister does acknowledge that they do not normally do this, but the deficit was getting larger and larger. This centre has no rent to pay, it has no telephone to pay and the furniture is provided by the ministry.

I would like to know whether the minister considers this a shining example to the private sector and industry as a whole as to how to operate a child care facility, that with all of that help, there is still a \$37,000 deficit.

**Hon. Mr. Sweeney:** As I had indicated last week, given the kinds of points the member has just made, a review would have to be made to

find out what was causing this deficit. We have now done that and discovered two things. First of all, this is the third centre like that in the Metro area which has come under these kinds of difficulties and for which we have provided deficit funding. I point that out only to make the point that this is not the only centre.

Second, what we have discovered is that up until very recently, the centre was being run directly by its board of directors. With the assistance of members from my ministry staff, they have now put a supervisor in place who will overview the operation on a day-by-day basis, we think, more effectively.

The second thing we found out was that every staff member in that centre, unlike, I believe, any other centre in the province, is a community college graduate. As the member will appreciate, in most centres there must be one community college graduate for each group of children, but there can be two or three other people there who do not have the same qualifications. That one trained person acts as the leader of the group.

The third thing we found out is that there is a much higher proportion of infants in that centre than you will find, we believe, in any other centre in the province. As the member would know, infant care is the most expensive component of the entire system. But I believe it is the first point that I made, the presence now of a full-time supervisor, that will begin to make a difference in the financial—

**Mr. Speaker:** Order. Supplementary.

**Mrs. Marland:** We did not have that information in the House last week, because the question was not asked to the minister last week. I think it is important to understand that, yes, the infant care in a child care facility is the highest cost, but the parents of children of all ages in this facility are paying the highest rates in Ontario today, and if it is an infant they are paying more for that infant's care.

I am wondering if this announcement by the minister today means that we no longer need worry about this very much needed facility at Queen's Park. I am concerned about it. I am concerned for the parents who have had to pay a 25 per cent fee increase at the beginning of this year. What I am wondering now, in response to the minister's reply, is, does this mean that he is going to allocate ministry staff time to any facility within the province that runs into a deficit problem? Is that going to be the solution?

**Hon. Mr. Sweeney:** No, we do not intend to do that. However, the honourable member will recognize that in the news report she refers to, a



member of my staff was specifically named. That staff member has been asked to continue to monitor the situation now that the new supervisor is in place and to do what he can to prevent the recurrence of this kind of deficit.

The honourable member made the observation, both this week and last week in a different context, that this is somewhat a flagship centre. I would ask the member to go back about a year ago, when we clearly indicated that this was going to be a special centre. We would like to try some things, quite frankly, that other centres would not be able to afford to try and determine whether or not they were applicable on a broader basis. We are beginning to see now that some of those are very costly and, quite frankly, I do not think they will be.

#### CONTROL OF SMOKING

**Ms. Hart:** My question is to the Minister of Education. According to recent statistics provided by the Canadian Cancer Society, the percentage of girls smoking in our elementary and high schools is significantly higher than the number of boys and, contrary to the trend in the general population, the percentage of young female smokers increased between 1978 and 1984.

My question to the minister comes not because I have recently added two teenage daughters to my family. This has been a long-standing interest of mine, and I would like to ask the minister if he is aware of this gender difference and, if so, what the ministry is doing to address the problem.

**Hon. Mr. Ward:** In response to the member, I would indicate that existing ministry guidelines do, indeed, give attention to the issue of smoking in health classrooms throughout this province.

We are currently developing new guidelines and we expect to send them out to school boards and teachers throughout the province for a process of validation. I can assure the member that the new guidelines indeed recognize the different social pressures on males and females and recommend a much more interventionist approach to stop this problem at its earliest stages.

**Ms. Hart:** Could the minister tell me if his ministry is working together particularly with the Ministry of Health to come up with a co-ordinated approach to this problem? It is clearly a problem that crosses ministerial boundaries and it is one that concerns us all.

**Hon. Mr. Ward:** I can assure the member that, indeed, the Ministry of Education does work very closely with the Ministry of Health on issues and initiatives such as this.

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#### FLOODING

**Mr. Wildman:** I have a question of the Minister of Municipal Affairs, now that he has returned from his helicopter ride with his colleague the Minister of Natural Resources (Mr. Kerrio) over the Goulais River. Am I correct in understanding that it is the position of the government now that it is awaiting a formal application from the Goulais River local services board for the declaration of the area as a disaster area to provide provincial funds? If so, can the minister explain what criteria are used in determining whether or not the matching funds would be \$1 for \$1 as opposed to \$4 for \$1, as was provided by the previous government in 1979?

**Hon. Mr. Eakins:** I just want to say again that the Minister of Natural Resources and I did visit the Goulais River area. Indeed, I had previously visited the area three weeks ago today, looking at some of the situations that exist there.

It is the responsibility of the local services board to assess the situation and the damage and to make a recommendation to myself. In turn, I will make that recommendation to cabinet.

In regard to the contribution, the rule is usually \$1 for \$1, but this has varied in other cases across the province and I will certainly be prepared to look at the recommendation that comes to me and, in the light of that, to make a recommendation to cabinet.

**Mr. Wildman:** I hope the minister recognizes that it is perhaps more difficult for unorganized areas to raise local funds than it might be for a municipality, even a rural municipality. If that is the case, will he then consider, perhaps, depending on the magnitude of the damage, going on beyond the one-for-one funding?

In that context, as well, can the minister indicate what discussions he and his colleagues might be having to try to alleviate the possibility of future floods in the Goulais River valley rather than having this recur every three or four years?

**Hon. Mr. Eakins:** That is a good question, and I say to the honourable member that it was exactly three weeks ago today that I did look at the area with the Sioux North Planning Board personnel. They pointed out some of the problems of that area, and one of the concerns they raised at the time was the continual flooding in some of the areas. We have been assessing that and, in the meantime, of course, this difficulty arose. Certainly, that being an unorganized area, we will give that every consideration.



I want to add that I, along with my colleague the Minister of Natural Resources, was very impressed, in meeting with the people of Goulais, with the spirit of the people and the action of the fire department in regard to this situation. They are to be commended and I was very impressed indeed.

#### MUNICIPAL ELECTIONS LEGISLATION

**Mr. McCague:** The Minister of Municipal Affairs will not be surprised that this question is for him. The Orders and Notices paper today says the first order of the day is third reading of Bill 77. Under what authority was the minister advertising the effects of Bill 77 on the radio over the weekend?

**Hon. Mr. Eakins:** This is the beginning of Local Government Week and, in that connection, we had decided to promote the effects of Bill 77. However, when Bill 77 was not completed, we asked that that be rescinded and, in most media, we were able to stop that.

There were one or two isolated cases in which we were not, and I regret the fact that we were not able to catch all of that.

**Mr. McCague:** That is a completely unsatisfactory answer. It was on many stations over the weekend. The minister did not call the bill until Wednesday last, did not show up for its consideration, came on Thursday, got mixed up on the rules, and did not know where he was going on it. When is the minister going to start giving this House the right to consider these things before he goes around the country blethering about them?

**Hon. Mr. Eakins:** We were prepared to move earlier with this bill; a day earlier. We accommodated the opposition so that the question of Sunday shopping could be debated. I feel we have moved ahead as early as possible with this bill and I am sure that the honourable member, with the opening of Local Government Week, will not feel too bad if one or two stations carried that.

#### HEALTH SERVICES

**Mr. Callahan:** I have a question for the Minister of Health. In 1977, when the city of Brampton was about 80,000 people, I identified a very significant need in the municipality. Unfortunately, it was not shared by anybody else in the municipality; none of my colleagues on council. It seemed to be a conspiracy of silence, in fact. In 1981, as the population grew, I again identified the problem as being in existence.

As the minister is well aware, there is a process under way in the city of Brampton with reference to locating a medical facility on lands that have been held by the city for 15 years. I would like to ask the minister, since I have not asked for some time, for an update on what stage we are at in that process.

**Hon. Mrs. Caplan:** Let me once again acknowledge my colleague the member for Brampton South's interest in the delivery of health services to his constituents. Let me take a moment as well to say that we have been looking at innovative alternatives. For the information and update of members of the House, the district health councils have been asked to look at some proposals in the comprehensive health organization concept. I believe that Peel is one of those, and we are in the process now of awaiting a review of those proposals.

**Mr. Callahan:** This will be a zinger. In light of the length of time and the urgency of the matter with the growing population of Brampton, presently 181,000 people and estimated to be somewhere in the neighbourhood of 320,000 by the year 2000, can I be assured that this proposal is certainly in the forefront of the applications which are presently before the minister?

**Hon. Mrs. Caplan:** I want to assure the member from Brampton South that this proposal will be viewed, as will others pertaining to innovative and creative proposals in delivery of health services, and just acknowledge his interest and his leadership in this matter.

#### AUTOMOBILE INSURANCE

**Mr. Swart:** I have a question to the Minister of Financial Institutions. Perhaps while he is taking his seat I can tell him that it is about the fraud which I publicly disclosed about a year ago, whereby black market auto insurance certificates could be readily purchased in the province. He will be aware that the news media now has reported that has been escalated.

I have one of them here, for which I paid, through an intermediary, \$130. I have another ticket for which I may have to pay more in the near future. In conversation with Cheryl Barr, who, of course, is a provincial prosecutor in the Scarborough traffic court, she confirmed that there has been a definite increase in the use of fraudulent certificates and people driving without insurance. She further said to me today, "You'd be shocked at the number of people driving without insurance."

Does the minister not realize that his government is directly to blame for this, that this is part



and parcel of the system it has in place? I ask him the inevitable question: why does he not bring in a public insurance system like they have in Saskatchewan, Manitoba and British Columbia, where you have to buy your insurance with your plates and with your driver's—

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**Mr. Speaker:** I believe the question has been asked. Minister?

**Hon. R. F. Nixon:** Was it not in Saskatchewan that the rates went up 22 per cent? Was it not in Manitoba that it caused the downfall of a government? What do we want to do that for?

Actually, the honourable member must blame me for this black market in pink slips; because we have a law that says you cannot drive a car unless it is properly insured, therefore I am responsible for the black market in pink slips.

I was glad to read that the police who were interviewed in this particular matter said that they can pick them up rather readily, that whenever there is an old clunker driving along the highway heading for Florida or something like that—I mean the car, not the driver—they figure that under normal circumstances it might not be worth insuring; but there are going to be—

Interjections.

**Mr. Breaugh:** Sit down and take your punishment.

**Hon. R. F. Nixon:** I have a red flag here.

In fact, as long as we are going to demand that our drivers be insured, then of course we are going to require proof of insurance. I think the honourable member would be aware that we require a driver's licence and at any one time there are many thousands of people driving on the road without proper licences. If the police find them, that is a very serious offence also.

The member for Welland-Thorold should just take it easy. OK; go!

**Mr. Speaker:** Does the member have a supplementary question?

**Mr. Swart:** I sure do. I think the people of Ontario have come to the conclusion that if public auto insurance in Ontario would bring that government down, it is worth it on that count alone.

The minister tries to minimize this and somehow indicate that it is not really the system that causes this, although he knows very well it is. He must know that his government reported, and it was published in the underinsured motorists survey, that in 1985 the Ontario government estimated 165,000 motorists on the road did not

have insurance in this province. There are none in those three western provinces.

Given these increases, that is probably now at least a quarter million who are on our roads. Does the minister not realize the risk that this puts other drivers to for those who do not have the insurance, and does he not realize that the insured drivers have to pick up between \$150 million and \$250 million in insurance premiums that the uninsured drivers are not paying?

May I—

**Mr. Speaker:** No. That was two questions.

**Mr. Breaugh:** Well, he has three.

**Mr. Speaker:** I think in fairness to the other members who are sitting on the edges of their seats waiting—

**Mr. Swart:** Give me one more sentence.

**Mr. Speaker:** No, the minister will answer the questions.

**Hon. R. F. Nixon:** What questions?

**Mr. Swart:** I will put the question again. I will put the two together. How is that?

To add to this situation, the costliness of the system here, the unfairness of our system, how is it possible that the government rejects the public systems in the west which would eliminate all these problems?

**Hon. R. F. Nixon:** I do not want to draw any conclusions that will turn the member on even further, but he will recall that this was an issue in the election campaign last September, that he spoke in favour of public insurance and I spoke against it, and the people cast their ballots.

**Mr. Swart:** We are both here.

**Hon. R. F. Nixon:** Well, we are both here, but a lot more of my friends are here than—

Honestly, I do not want to pursue any undue lessons in democracy because I know there were many issues in the election, but this certainly was one and many people who spoke to me were very much in favour of public insurance and many others were not. I am supporting all of those people in bringing forward an automobile insurance rate review board, which we believe is going to be effective. As members know—

**Mr. Swart:** That has nothing to do with these pink slips.

**Hon. R. F. Nixon:** It has a lot to do with them, because we believe that fair rates and approved rates are going to reduce the numbers of people who would even think about driving without adequate insurance—or too fast.

#### UNIVERSITY FUNDING

**Mr. Jackson:** My question is to the Minister of Colleges and Universities. Last week in the

House the Premier (Mr. Peterson) advised us that this government is committed to "the maximum number of young people receiving post-secondary education." This contradicts a pledge and promise that the Premier made in this House on June 15 last year. I will quote what he said: "Every qualified student will find a place in a post-secondary institution in this province this fall."

Could the minister tell this House today when and what this new maximum number will be, in the light of the fact that the Council of Ontario Universities indicates that up to 5,500 students may be rejected from post-secondary education opportunities in this province this fall?

**Hon. Mrs. McLeod:** I must confess I find it difficult to deal with the specifics of the figures which the Council of Ontario Universities is putting forward, largely because they must necessarily be based on estimates and extrapolations of past patterns of enrolment. I think it is also very important, if we are talking about figures, to look at the fact that there may be a number of reasons, when there are a very large number of applicants, that some qualified applicants may not in fact register. For example, there may be applicants who have applied for a particular program and are not able to be accepted in that program or have applied to a particular university and are not able to be accepted in that university. I think we have to have some questions about using specific figures.

If I can set aside the figures for a moment, the honourable member is addressing a concern about how we can respond to the very significant increase in the number of applicants to universities this year. I can assure him that we are, as the Premier indicated, committed to ensuring that we are able to provide support so that people who are interested in post-secondary education have an opportunity to pursue that interest.

I think the member knows well that last year in response to an unprecedented increase in applications, this government put in place significant funding support in terms of operating support, support for new students registering, as well as increased student assistance. I cannot give the member the specifics of exactly how we will in turn respond this year.

**Mr. Speaker:** Perhaps the minister may want to add something further if there is a supplementary.

**Mr. Jackson:** The minister says she has had a year to examine the statistics from last year which state that around 2,500 qualified students

were not allowed access to university education last year. She has had a year to analyse those statistics. We established in this House that in fact that was our projection. If we in opposition were able to come that close, within a 100 students of what the denial rate was in this province, why can she not substantiate the fact that her government has changed its policy from guaranteeing students to creating new maximums? Can the minister tell this House what she considers to be a qualified student who should be guaranteed a post-secondary education at a university in this province this fall?

**Hon. Mrs. McLeod:** It would be presumptuous of me to attempt to define what is a qualified student since clearly it is the role of the universities to define who in fact is qualified and who should be admitted to particular programs. I would not at any point take that right away from the universities.

We are committed to ensuring that there is support for the universities to enable them to respond, as in fact they responded last year with, as I remind the House, a seven per cent increase in the enrolments of the first year of the university programs.

I also stress that I think it is important that we recognize that there is a full spectrum of post-secondary educational opportunities in this province and that we must look at the college system as well as at the universities. We will be looking at how we can best provide support to universities to respond again in the next year.

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## PETITION

### NATUROPATHY

**Mr. MacDonald:** I have a petition signed by 82 people addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

The petition calls on the government to ensure that naturopathic medicine continue to be practised in Ontario as a primary-access profession and that naturopaths continue to deliver natural health care.

## INTRODUCTION OF BILLS

### OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL BOARD ACT

### LOI SUR LE CONSEIL SCOLAIRE DE LANGUE FRANÇAISE D'OTTAWA-CARLETON

Hon. Mr. Ward moved first reading of Bill 109, An Act to establish a French-Language



School Board for the Regional Municipality of Ottawa-Carleton.

L'hon. M. Ward propose la première lecture du projet de loi 109, Loi portant création d'un conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton.

Motion agreed to.

La motion est adoptée.

#### VETERANS' REMEMBRANCE DAY ACT

Mr. Henderson moved first reading of Bill 110, An Act to declare Remembrance Day as a Holiday for Veterans.

Motion agreed to.

**Mr. Henderson:** This bill will redress in part the serious shortfall in our level of recognition of the priceless human gift bequeathed by Canadian veterans who gave or risked their lives to defend the freedoms that we know and, I hope, cherish in Ontario. Different jurisdictions, including Canadian provinces and other nations, recognize Remembrance Day in ways as different as very little recognition at all to declaring Remembrance Day a full statutory holiday, yet a common Remembrance Day with common observances among nations could serve to help unite veterans around the globe as a potent force for peace. The purpose of this bill is to make Remembrance Day a holiday for veterans.

#### ORDERS OF THE DAY

##### MUNICIPAL ELECTIONS STATUTE LAW AMENDMENT ACT

Hon. Mr. Eakins moved third reading of Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act.

**Mr. Speaker:** Is it the pleasure of the House that the motion carry?

**Some hon. members:** No.

**Some hon. members:** Carried.

**Mr. Speaker:** All those in favour will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

**Mr. McCague:** On a point of order, Mr. Speaker: I was on my feet. I had wished to say a few things and I was not recognized. Is that appropriate?

**Mr. Speaker:** No, it certainly is not appropriate. I am afraid I missed the honourable member.

**Mr. Breagh:** How about unanimous consent so the honourable member could be heard?

**Mr. Speaker:** I thought I looked around as I usually do but if I—

**Mr. Breagh:** The eyes go first. I understand the problem.

**Mr. Speaker:** Yes. I must apologize to the member. The bill has been passed and I do not know whether it is really in order to give unanimous consent. I am having a little difficulty with this one. As I say, I looked around and I certainly did not see anyone standing.

**Hon. Mr. Conway:** If it is of any help, I am quite prepared to agree with my friend the member for Oshawa (Mr. Breagh) that we give unanimous consent to allow our friend the member for Simcoe West (Mr. McCague) to make some comments. I am afraid I was out looking at the Orders and Notices so I was not observing the House but I am quite prepared to offer unanimous consent to allow the member to make some comments.

**Mr. McCague:** I think the record will show there probably were about three seconds between the time that third reading was announced—

**Mr. Haggerty:** You have to move faster.

**Mr. Speaker:** Order. Just as long as you are all aware, as I was just advised, that you realize you have now rescinded third reading.

**Mr. Breagh:** That is all right.

**Mr. Speaker:** Is that OK? Is there unanimous consent?

**Hon. Mr. Conway:** I just want to be clear. I think the member for Simcoe West, whom I must say I did see on his feet—I was looking at my own Orders and Notices—has an interest in this. I just want to facilitate that. I am very hopeful, obviously, that we can conclude the third-reading debate this afternoon. I hope that could be the case. I do not want to cause any undue difficulty but I am certainly prepared to revert to third reading to allow the member for Simcoe West to make his comments.

**Mr. Speaker:** Then I will have to ask: Is there unanimous consent?

Agreed to.

**Mr. McCague:** Mr. Speaker, I thank you for the opportunity and I think if you check the timing in the record, there were probably two to three seconds between the time that third reading was moved and the vote was taken, and I was on my feet.

I hope the minister will stay. I will take it easy on him—or I will not take it easy on him but I will make it short. This bill has been a kind of foulup right from the very start. I think we deserved a



better compendium than the minister gave us on this bill. He had his parliamentary assistant bring us a form that he intends to put out to the public and we got that about five minutes before we took the vote the other day.

Then we had the problem of the minister not being here the first day we talked about it. I can understand that problem, except that, as I pointed out to him, had the bill, in the first instance, taken two days, he would have started it on the first day and I do not think he would have been absent on the second. The excuse he continually makes, that he was accommodating to us on the Sunday shopping issue on the first day of the House, just does not wash.

I want to again put that on the record, only to be followed up by the fact that he is advertising the passing of the bill on the weekend when, in fact, it has not passed. I do not blame the minister personally; his staff jumped the gun. There has been such a ballup on this bill, and it is a ballup, even in its form, as many members of this House have told the minister. I just want to get on the record that this has been really loused up. I hope it works out a lot better for him than we think it will and I hope he has a reasonable enumeration system in place for the 1988 elections.

**Mr. Breagh:** I think I have heard that before.

**Mr. Speaker:** I think so. I guess I had better ask the minister if he has any final comment and also put third reading.

**Hon. Mr. Eakins:** I simply want to make one quick comment in reply to the honourable member in regard to the sample form which was presented. We cannot print a form until the bill receives third reading. The sample that we presented here was for the members to review. Also, the member made comment on it. That will go back and, no doubt, incorporate some of the concerns he raises. In that sense, I am sure the form is going to be a very acceptable one.

Motion agreed to.

1530

#### INTERIM SUPPLY (continued)

Resuming the adjourned debate on the motion for interim supply for the period commencing April 16, 1988, and ending June 30, 1988.

**Mr. Speaker:** As I recall, when the debate was adjourned the member for Stormont, Dundas and Glengarry (Mr. Villeneuve) was speaking and adjourned the debate. Possibly, under the circumstances, I will ask if there are any other members wishing—

**Mr. Harris:** Mr. Speaker, maybe it is totally inappropriate and maybe I should not be asking—there are far more learned people than I—but there was a long-awaited bill dealing with French-language school boards that was introduced in the House today. My colleague the member for Stormont, Dundas and Glengarry got called out and thought that third reading of Bill 77 was going to take much longer than it did. I think he did want to make a few remarks. I could get him forthwith or I could ask the indulgence of the House, with unanimous consent, so that he might be able to conclude his remarks when he comes back. Is that a fair proposal?

**Mr. Speaker:** The member for Nipissing has made two suggestions to the House. The first one was, should he get him forthwith?

Interjection.

**Mr. Speaker:** No?

**Mr. Harris:** Perhaps while there is some discussion on that I will slip out.

**Hon. R. F. Nixon:** Here he comes.

**Mr. Harris:** I do not want to ever set a dangerous precedent by having somebody speak twice to a motion. Perhaps I will withdraw the second suggestion and thank you, Mr. Speaker.

**Mr. Speaker:** I will recognize the member for Stormont, Dundas and Glengarry.

**Mr. Villeneuve:** It is always interesting to participate in the debate on interim supply. I was addressing some of the local problems last Thursday when we recessed for the weekend.

The northern and the eastern sections of this province must be treated in a somewhat different fashion. Certainly, we have different types of problems. Agriculture is, to some degree, very important in those areas. I have just this weekend faced a number of areas of concern, particularly as they involve applications for severances.

We have the situation that agriculture and food still is the number one industry in Ontario and we have many of our producers in that particular industry in some degree of trouble. I am addressing no fewer than six applications by farmers for severances that have had recommendations from the Ministry of Agriculture and Food that they not proceed. I am personally going to look into them and I think I will be reporting to the minister situations that go beyond what common sense would dictate.

We have areas where, in one instance, apparently a severance that has on it what was a former building site is growing nothing but brush and weeds, but according to a bureaucrat it is situated slightly closer than it should be,



according to the Food Land Guidelines, to a small hobby-type farm sitting on 40 acres. I do not think there is any chance this farm would ever be operated as a full-blown, economically viable agricultural operation, and yet the Ministry of Agriculture and Food will not allow this 1.5-acre or two-acre parcel to be built on. Everyone else was in favour. This I find annoying, to say the least, and I will be looking into that one situation, along with five others, which all came to my attention on Friday and Saturday last.

Regarding the Food Land Guidelines, I know the minister will shortly be coming forth with right-to-farm legislation. What annoys me on that one is that the Ministry of the Environment will be playing a very key role—not only an important but also a key role—in how the Ministry of Agriculture and Food will be interpreting and proceeding with this legislation. That annoys me because, yes, the Ministry of the Environment is a very important ministry, but it looks as if it is more important, when it comes to dealing with agriculture and with farmers, than the Ministry of Agriculture and Food itself.

I am anxious to see that right-to-farm legislation come forth. I know I was pleased to make a presentation to the committee when it came to Kemptville in eastern Ontario and it will be interesting to see how many of those recommendations that were made by a number of people will be incorporated as part of the legislation.

On severances—I return to that—we have many, many areas in eastern Ontario, as I am sure the minister is aware, of marginal land. We have some of our small towns faced with tremendous costs to accommodate the sewage that is being produced and that is presently polluting. I firmly believe that we should be allowing severances in those areas that really may be a little too close, a severance that someone asks for that may be 50 feet too close to a barn that may not even be in operation, may be run as a hobby-type endeavour.

We have to have enough flexibility there that a two-acre parcel could be severed. Someone will go and build on that parcel. They will drill their own well and they will put in their own septic system. The municipality is wholly in favour of this because it is additional tax revenue, and yet we have the ivory-towered bureaucrats telling us, “Oh, you can’t do this and you can’t do that and we”—the bureaucrats—“know what is good for you, Mr. Farmer,” who happens to be doing the chores seven days a week.

That annoys me and I am sure it annoys the minister. I know it annoyed him when he was in

opposition anyway. I am sure it still annoys him, as minister.

**Hon. Mr. Riddell:** I was always out to preserve agricultural land but you want the farmer to have the right to farm and you also want severance, which caused the problem in the first place.

**Mr. Speaker:** Order.

**Hon. Mr. Riddell:** You can’t have it both ways, Noble. You can’t have it both ways.

**Mr. Villeneuve:** I hope the minister understands that we have large areas in eastern Ontario—my colleague sitting behind him, the member for Cornwall (Mr. Cleary), Cornwall township and Charlottenburgh, could vouch for it—many marginal areas where, for whatever reason, some bureaucrat has looked at the soil map and said, “The soil map says it is class 1 or class 2; therefore it must be.” I happen to know, as a real estate appraiser and as a farmer.

I have been to some of these properties and I cannot agree with what I understand is in the reports. I am going to be asking for some of these reports and I am going to be looking at them personally.

**Hon. Mr. Riddell:** That is the federal land inventory. Go to your feds and tell them they better do a better job.

**Mr. Villeneuve:** Are you telling me that your bureaucrats do not go and look at the property physically?

**Hon. Mr. Riddell:** That is a federal land inventory.

**The Deputy Speaker:** Order. If the member addresses the chair, he might have an easier time making his point.

**Mr. Villeneuve:** Thank you, Mr. Speaker. I am sorry I got into a little discussion with the Minister of Agriculture and Food. He and I discuss things a lot and I suppose maybe I should be addressing everything through the chair. We agree on many things, I am sure, except sometimes politics happens to get in the way. That is a strange phenomenon, but it happens now and again.

But with these severances, I am going to look at the reports and I am going to see what I see on site. If he is telling me that his bureaucrats do not go out and have a look on site to confirm what is in the soil map, be it the provincial soil map or the federal soil map—I do not care which map they use; they can use that as a guideline, but I feel they must go to the site and do a physical inspection—if they are not doing that—



**Mr. Wildman:** The member for Brampton used to send Ronnie McNeil out.

**Mr. Villeneuve:** They are not doing that, Mr. Speaker. I am addressing all of my commentaries through you, Mr. Speaker. I hope you appreciate that. There are times when there is a bit of distraction.

If bureaucrats are not shouldering the responsibility of signing a document which they stand by, which creates situations where a number of severances that I feel should occur are not occurring, then they are not doing their job. I am going to be looking into it because I feel there are just too many people bringing forth too many complaints. We have to look at it a little more closely.

**Hon. Mr. Riddell:** Yet they want the farmers' right to farm.

**Mr. Villeneuve:** Of course, farmers must be protected.

**Hon. Mr. Riddell:** They want severances and they want the farmers' right to farm. I don't understand it.

1540

**Mr. Villeneuve:** The minister does not come to eastern Ontario often enough; I will certainly make it a point the next time he is in the area. I will go to these six places I am investigating personally and I will take photographs and do my own little report. Then I will ask the minister for what he has on file on these applications for severance, and we will see what I think I saw and what someone else thinks he saw, or took someone's word for what was there. We will see just exactly what happens. It will be interesting.

On a slightly different topic—I see the Treasurer moving around—Wintario funds are a most important asset to some of our small communities. He could drop probably a million—

**Hon. R. F. Nixon:** On a point of order, Mr. Speaker: The honourable member just mentioned that I looked as if I had something else in mind. I have a briefing associated with the budget and I have asked the parliamentary assistant, my colleague who has just taken his place, to make notes of the comments made by the honourable members. I will be back shortly if that meets with everybody's approval.

**The Deputy Speaker:** Thank you for the point of information.

**Mr. Villeneuve:** I know the Treasurer is a very, very busy man, particularly just prior to bringing forth a budget. I hope he is working hard trying to balance it. I think it is most important

that it come close to being balanced, if indeed not be totally balanced.

In regard to Wintario funds to small communities, and I represent many small rural communities, a \$15,000 or \$20,000 Wintario grant or Wintario assistance can mean more to some of these small communities than \$1 million or \$5 million right here in Toronto or some of the larger communities. I am very concerned about the fact that Wintario funds may wind up as part of the overall general funding of government. I feel Wintario funds should be kept separate and allocated in a separate fashion.

Tax reform will be occurring at the federal level. I touched on this last Thursday. I actually completed my income tax return this past weekend and I found it most interesting comparing the schedule of Ontario income tax in 1987 with what it was in 1984. That is not very long ago, only three years ago, but there is a very substantial increase in the amount of provincial funds at the same income level now compared to what it was in 1984 when a previous administration was in place.

As tax reform comes into place, it is my understanding that the federal government will be reducing to some degree the income tax to be paid by individuals. I have been told by some fairly reliable sources that the Treasurer of this province is watching very closely so that without giving the impression of having an increase in taxation, whatever benefits Ontario taxpayers obtain from tax reform at the federal level will be mostly absorbed by the province in additional taxes, come 1988. It will be interesting to see exactly how the different ministries fare as the Treasurer proceeds with his budget on April 20.

The road system in the united counties of Stormont, Dundas and Glengarry has to be addressed. The Minister of Transportation (Mr. Fulton) did meet with the roads committee, the warden, during a recent visit to the Smiths Falls area in eastern Ontario by the cabinet. I believe the Minister of Transportation realizes that some additional funding is required in Stormont, Dundas and Glengarry, with 700 and some miles of road network, basically all of which is in rural Ontario and certainly subject to a lot of heavy traffic, increasing traffic and a reduced amount of funding through the province. I certainly hope the Ministry of Transportation will see fit to provide some additional funds, particularly on several major projects, which include some bridges.

I will not pursue this much longer. I know there are many members in the chamber who



want to debate the interim supply motion. However, in summation—I am really pleased to see that the Minister of Agriculture and Food is here—agriculture must be addressed in a fashion that will assist in supporting the basic industry as it exists here in Ontario. I have the Farm Credit Corp. statistics that indicate that from July 1985 to July 1987, we had very marked and significant reductions in market value throughout the agricultural areas of Ontario.

In northern Ontario, for instance, in 1986 it was minus two per cent. In 1987, it was minus 21 per cent. In southwestern Ontario, by July 1, 1985, there was a reduction of minus 12 per cent in market value; in July 1986, minus 24 per cent; in July 1987, minus 46 per cent. When one compounds those reductions in market value, one just wonders. We hear of the escalating costs of housing and yet in the most basic primary industry in Ontario, we have some drastic, real reductions in market value and in the equity that our agricultural people have.

Mr. Speaker, I thank you very much for the opportunity of participating in the interim supply debate and I look forward anxiously to the Treasurer coming forth with his budget later this month.

**The Deputy Speaker:** Are there any questions and comments on the member's statement? If not, do other members wish to participate?

**Mr. Wildman:** I rise to participate in this debate on the interim supply motion. I must say at the outset that I find this a most inappropriate way of dealing, as a Legislature, with our main responsibility, which is holding the government responsible for the expenditure of the funds raised from the taxpayers of the province. I know that when this motion was introduced, the Treasurer explained the reason for it as being that we had not passed the estimates last year, and he attributed that mainly to the fact we had had an election campaign in September, which took a lot of time out of the year when we might normally have been dealing with the estimates.

That is, of course, true, but it does not really explain why we did not complete the estimates. Frankly, the estimates process in itself is unsatisfactory, because by the time we get around to dealing with the estimates of the various ministries, in most cases the money has already been spent. We find ourselves passing estimates in December, January or February when the end of the fiscal year is March 31 and when we really should be considering the estimates for the next year.

I look at the Orders and Notices on pages 36 and 37 through pages 38 and 39, where the estimates are listed. The total number of hours was 381 hours and 30 minutes, but of that, very little has been done. We note that Treasury and Economics was completed on December 8. Industry, Trade and Technology was completed December 10, and Housing December 17, in the standing committee on resources development. The standing committee on social development dealt with Skills Development on December 10 and the Office for Disabled Persons on December 17.

In most cases, only one or two of the estimates listed by committee had been dealt with by the end of 1987. In some committees, such as the standing committee on general government and the standing committee on the Legislative Assembly, none of the estimates listed has been dealt with. You cannot explain this simply by pointing to the election campaign. The fact is that for some reason this government has not had the House sitting to deal with the estimates. We cannot deal with estimates if the House is not in session.

**1550**

After the election was over, we did not come back until November 3, almost two months after the election, when normally the House sits about three weeks after an election. Then we sat through November and December and had that silly process where we sat through the Christmas-New Year season. The Premier (Mr. Peterson) insisted that we had to sit and discuss this matter and he could not put it off, because the free trade agreement was going to be signed by Reagan and Mulroney around the New Year, when in fact the Premier did not intend to do anything. But I will not be sidetracked.

I want to deal with the actual process of dealing with the estimates and dealing in an orderly manner with what is our main responsibility in this House, to ensure that the government spends the money responsibly.

What happened after we adjourned in the first week of January? Did we come back in February? No. Did we come back in March? No. Well, we came back in February for one week to deal with two specific pieces of legislation, and the committees did not sit, so we could not deal with estimates in committee. Then we did not come back until April—Easter. If we sit from now until the end of June and then go into the summer season and September, in the year after the election this House will have sat maybe five



months, when normally we sit about eight or nine months.

What is the reason for this? Why is it that the government does not want to sit to deal with the business of the Legislature? Why is it that they do not want to sit in January, they do not want to sit most of February, they do not want to sit in March, but for some silly reason they want to sit at New Year's?

I want to know if we are going to continue to have this process where we pass interim supply, where we do not deal with an analysis of the ministries and what they are doing with the funds, what their programs are, how much they are spending on various things, but rather are going to have this sort of omnibus debate where we all get up and say: "Well, we know the money has already been spent. The Treasurer is running out of cash to keep the everyday operations going, so we had better pass them or the civil servants cannot be paid." How many times have we done this, where we keep moving motions?

It is not acceptable, I dare say, even for the government. I do not think the people of this province deserve this kind of government. I am surprised. I do not understand why the government feels this way, that it should deal with things outside of the House and we should just come back in a rush and pass things in a hurry. They have an enormous majority. They have a majority on all the committees. They should not have any problems dealing with the issues before the committees and dealing with the estimates of the government. But they do not.

Certainly the committees have sat between sessions, but they are dealing with other issues and they normally do not deal with estimates when the House is not sitting. I do not understand how this government justifies the fact that it is not having the House sit. I hope we do not go through this process one more year.

Frankly, I think the government has lost control of the agenda of the House. That was shown in the Christmas-New Year period. I think the government does not realize how to operate, even though it has an enormous majority that should be able to run things pretty smoothly around here.

Having said that, I want to deal with some of the specific ministries we have not debated in committees, the estimates we have not dealt with. I want to deal mainly with those areas that I am responsible for as our critic. I will be talking mainly about resources and agriculture and also, obviously, about some of the issues related to northern Ontario.

I must say that, as we approach the new budget—the Treasurer has gone out to have a prebudget briefing—it is ironic that we are now almost one year from the 1987 budget, which announced a northern heritage fund, yet we have not spent any money out of it. As a matter of fact, the government does not even have the criteria by which applications for assistance from the northern heritage fund can be judged.

My colleague the member for Lake Nipigon (Mr. Pouliot) asked the Minister of Northern Development (Mr. Fontaine)—It is interesting. We have one ministry with two ministers: a Minister of Northern Development and a Minister of Mines (Mr. Conway). At any rate, my colleague from Lake Nipigon asked the Minister of Northern Development, that sort of one wing of a two-winged bird in the ministry, to explain why there had not been any money spent out of the northern heritage fund in almost a year.

I must say that the member for Cochrane North (Mr. Fontaine) reacted rather strangely. He accused me of laughing at him. Anyone who knows the relationship between me and the member for Cochrane North would know that I was laughing with him, not at him. At any rate, he said that if I continued to laugh, Algoma would not get any money. It is rather a hollow threat when you consider that nobody has got any money out of the northern heritage fund. If no one gets it, I guess people from Algoma will not get any, either.

When that fund was announced by the Treasurer in last year's budget, he said the government would be budgeting \$30 million for northern development. At the time, we said that was a pittance; it would not even begin to respond to the needs for diversification and development and producing jobs in northern Ontario. I will not go through a long discussion of this because we have dealt with it many times in the Legislature, but I think it is important to recognize that there really are two Ontarios, at least two Ontarios. We have an enormous boom going on in the Metropolitan Toronto area. While things are better in northern Ontario economically than they were during the deep recession or depression of 1982—

**Hon. Mr. Grandmaitre:** You are talking about the Conservatives?

**Mr. Wildman:** Yes. In the north, they are not what they are in southern Ontario. The Minister of Revenue (Mr. Grandmaitre) will know, since I know he has a great understanding of and concern for northern Ontario, that we have had an outmigration of population. The population of



northern Ontario is dropping. People are moving to southern Ontario, particularly to Metropolitan Toronto, because they have to, to get jobs. The large number of that outmigration are young people, people who could be the future of northern Ontario and who are leaving. They are not leaving, in the main, because they want to leave; they are leaving because they do not have a choice.

We should be responding. I think to wait a year after an announcement of only \$30 million and still to be able to say, "Well, we don't have the criteria yet," and the Minister of Northern Development says he will be presenting them to the cabinet in a few weeks. Even if you take the election period out of last year, there has been plenty of time. Why is the government dithering? Is it hoping that market forces somehow will resolve the problems of northern Ontario and that this fund, for which the Treasurer is not really enthusiastic, might not have to be really used at all? I hope that is not the case.

When the Liberals first announced the northern heritage fund, for which we had been campaigning for about 10 years or so, and said it was going to be only \$30 million, some of us who were perhaps a little cynical suspected that perhaps that \$30 million was going to be the revenue this government would receive in transfers from the federal government as a result of the imposition of the export tax on softwood lumber. I know the Treasurer denied that and the Premier denied that, but \$30 million is a nice round figure which is about exactly what is going to come from the federal government to the provincial government as a result of the imposition of that tax.

#### **I600**

We know that the Premier, at the time the provincial government agreed with the federal government on this so-called solution to the Americans' demands for export controls on softwood lumber, said he and the government would be using this money to assist the lumbering communities that might be harmed because of the increase in the cost of their product of about 15 per cent as a result of the imposition of this tax.

A few weeks ago I received a letter from the Treasurer in answer to my questioning about the revenue that had accrued from the tax and how much money of that had been spent to assist lumbering communities and the workers who had been displaced as a result of dropping markets. The Treasurer wrote back to me and informed me that approximately \$27.5 million has been

transferred to the Ontario Treasury from the federal government as a result of the imposition of the export tax, but then he went on to admit that this government has not spent one cent of that money on retraining workers.

Sawmills in Longlac, Smooth Rock Falls, Kapuskasing, Keewatin and Hudson have all been closed, at least in part as a result of the increase in the cost of their product in the US market because of this unfair tax. Somewhere between 500 and 700 jobs have been lost in the north, and the Treasurer has the audacity to admit to me in writing that nothing has been spent on retraining those workers and helping them to adjust.

What is the Treasurer doing with this \$27.5 million? It certainly is not going to be used to help northern Ontario specifically, which is what the Premier said it would be used for. The Premier and his government have broken the promise that they made to northern Ontario lumbering communities when this unfair deal to impose a tax was made with Mulroney. The people of the north recognize that there is not the same commitment on the part of this government dealing with the problems of the north that it may demonstrate about dealing with the concerns of their southern Ontario neighbours, and that is just not acceptable.

One just has to look at resource management to determine the lack of commitment on the part of this government. There have been a number of studies commissioned to deal with the concerns that many of us have about the timber resource we have in this province. When one of them, the Woodbridge, Reed and Associates study, came out after being commissioned by this government, it made a number of statements about a serious decline in the timber stands and that we may in fact face serious timber shortages in the not-too-distant future. Yet we have had no response from the government to this study, its own study. What is the Ministry of Natural Resources doing, or does it disagree with the report of its own consultants? If they do, they should say so.

**Mr. Harris:** It is a disgrace.

**Mr. Wildman:** My colleague the member for Nipissing says it is a disgrace. I agree with him it is a disgrace. He raised in the House today the whole question of the Temagami land-use issues. Everyone in the House agrees this is a very difficult issue. There are many competing interests, but the fact is that this government does not want to make a decision. They continue to postpone. First they call for an environmental



assessment of the Red Squirrel Road, and now we find that the consultant the ministry hired to do the EA for it is so ashamed of what has been produced by the Ministry of Natural Resources that he will not have his firm's name affixed to it. It has basically been laundered.

On top of that, when there is a proposal for another road into the same area, the minister says, "Well, we will not have an environmental assessment on this road," which, in my view, then makes a farce of the first environmental assessment. If you need an environmental assessment on one, how can he justify not having it on the other?

Then, when it gets pressure from many people who want to have a wilderness area in the area of Lady Evelyn-Smoothwater Provincial Park, the government, instead of making a decision, appoints Professor Daniel and many representatives of the various interests—the tourist industry, the ecologists, the environmentalists, the local townships, municipalities, the logging companies and labour—to sit on a committee and come up with another proposal. The minister had to admit in the House today that they could not come to a consensus. Well, that is not really surprising. But also, the minister could not give us an indication of when he would come to a consensus.

When is he going to make a decision as to what should be done? When is the Minister of Natural Resources (Mr. Kerrio) going to take control of his ministry, be able to get agreement from his cabinet colleagues and develop a land use plan, not only in the Temagami area but also across northern Ontario, that takes into account the needs of the various interests: the tourist industry, the lumbering industry, the pulp and paper industry, the anglers and hunters and all concerned?

In that regard, I have been told that the Ministry of Tourism and Recreation has been developing a northern tourism strategy. This tourism strategy has been in development for a long time now. First they were supposed to report in December. Then the reporting of that group was postponed until February. Then it was postponed again, and it was supposed to be out by the end of March. We still have not seen it.

Of course, the problems the Liberals have in dealing with tourism in northern Ontario relate to the whole difficult problem of land use, the same problem we have in Temagami, basically. They relate to the construction of forest access roads and who, if anyone, other than the forest industry, will have the right to use those roads

when they go farther and farther into wilderness areas and tourist areas where tourist outfitters have had fly-in operations.

We know that the Northern Ontario Tourist Outfitters Association made a proposal for something called tourism management agreements, in some way patterned after forest management agreements, where the tourist outfitter in the area would somehow be able to reserve a lake for himself or a small group of tourist outfitters and prevent people entering the area who are not purchasing a vacation or a hunting or fishing experience from them. Obviously, that caused an enormous storm in northern Ontario. The hunters and anglers are completely opposed to any suggestion that a tourist outfitter should be able to say who can come into an area and who cannot. They point out that, in fact, taxpayers' money is used to build these forest access roads in most cases, and therefore they feel they should be able to use them.

I admit that the Ministry of Natural Resources has a difficult time balancing all the issues and all the interests. Legitimately, a tourist outfitter who is paying for a permit for a fly-in operation wants to have his investment protected. The legitimate sports fisherman wants to be able to go in and fish on a lake when he feels that it is appropriate. The forest industry needs the timber. It is difficult, but the ministry has the responsibility of dealing with those conflicts and of resolving them.

**1610**

The Minister of Natural Resources cannot continually try to foist that responsibility off on one committee, one study group or another consultant for ever. Sooner or later, this government and the minister have to get off the fence on these issues. I sympathize with the minister; it must be very difficult sitting on a picket fence. It must not feel too good, but that is what it is. The longer he sits on it, the more uncomfortable it is going to get.

In regard to other types of resource management, the previous government proposed the designation of a number of provincial parks. That was delayed and delayed. When the new government came to power, the Minister of Natural Resources indicated he was going to move quickly on the designation of the parks.

**Mr. Harris:** In 1985 they would all be designated.

**Mr. Wildman:** That is what he said, in 1985 they would all be designated. None of them has been designated as yet—not one.

The minister pointed to the fact that he made an agreement with the federal government for a



new federal national park in the Bruce Peninsula as evidence that he was committed to parks. We would like to see a real commitment on the part of the ministry to move on the designation of parks and determining how the lands within the parks are going to be managed, who and what interests are going to have the right to use them. We cannot waste any more time.

The government says it is interested in consultation. In northern Ontario we have been fighting for adequate animal and fishing management for many years. This government has indicated that it is prepared to move on the changes in the moose hunting system—the moosetario, as I call it, the lottery system. It appears it is prepared to go to party hunting. I think that is a good idea, a progressive move, but then when it makes that kind of a change, it turns around and changes the date of the opening of hunting season without consultation, so everybody who has booked his holidays is now going to be out a week. What happens to consultation? Why does the ministry act this way? I do not understand it.

The minister has been doing a couple of things that I am very concerned about. In terms of management of the resources, we know the government has instituted the resident fishing licence. I will not reiterate what led to my unfortunate departure from the House June last. I did have discussions with the minister subsequent to that and we did come to some conclusions, but I want to point out that somewhere between \$8 million and \$10 million has been collected from the sale of fishing licences in this province. The minister said that money would be reserved. I know the Treasurer does not like this kind of process, but the minister had said it would be reserved for the improvement of fish habitat and for fish stocking.

What have they done with the money? As I understand it, the ministry spent a little over \$4 million to stock approximately 12 million fish in 1986. In 1987, the minister spent just about \$5 million to stock about the same number of fish the next year.

**Mr. Polsinelli:** A 25 per cent increase.

**Mr. Wildman:** The parliamentary assistant said, "A 25 per cent increase," but the fact is they took in between \$8 million and \$10 million and they ended up spending approximately an additional \$1 million.

**Mr. Polsinelli:** What about the additional officers who were hired?

**Mr. Wildman:** There is the crunch. We all agree we need more conservation officers. As a

matter of fact, I raised the issue in the House. I said we needed more conservation officers. But the minister argues that by hiring more cops to enforce the fishing regulations, somehow we are producing more fish. It just will not wash. I might say there is something fishy in the whole operation, but I will not say that.

The other thing that I am mainly concerned about in the operation of the Ministry of Natural Resources is this whole approach to contracting out. I know my friend the member for Hamilton East (Mr. Mackenzie) will be concerned about this, as I am.

We know that under the previous government, and continued by this government, many, many people have been treated by the Ministry of Natural Resources as if they were casual employees. I am not just talking about people who have seasonal jobs, people who do things like plant trees or fight fires. I am talking about people who have ongoing jobs: heavy equipment operators, mechanics, clerks, carpenters, all sorts of people like that.

This government has continued that process, but it has made it even worse because, after many years of fighting, the Ontario Public Service Employees Union and members of the House from northern Ontario had persuaded the government at least to extend some benefits to those workers, some sick leave benefits, even some pension contributions and they are also getting paid at the OPSEU rates.

But what is this government now doing? They are now contracting out more and more jobs, like tree planting, things like that. So if these individuals want to continue working, they now have to work for a private contractor and the private contractor pays the minimum wage or just above it. Because they are bidding against one another for the jobs, in many cases it appears that they do not bid high enough, and if they run into bad weather or other problems, they end up running out of money and the workers do not get paid at all.

As a matter of fact, last year this government had to bail out one of the contractors and pay some summer students. Instead of going in the other direction, this government is increasing contracting out and doing it in more and more activities of this ministry. It is just not acceptable. It is a way of pretending that you are maintaining a smaller civil service than you really have and it is a way of saving taxpayers' money on the backs of the workers who work for this province. It is just not acceptable.



I might have accepted it, or at least understood it, from a Conservative government, but this government is supposed to be concerned about equity and reform. Why is it treating its own employees in this terrible way?

We guesstimate that in the Blind River district alone, contracting out will cost that community approximately \$340,000 this year in payroll. For a small community of 3,500 people, \$340,000 is a lot of money. It is not just going to affect those workers and their families. It is going to affect all the small businesses. It is going to affect the whole community. I do not understand. I do not think the minister knows what is happening because, if he does, he should be held responsible.

The other area I want to go to before I conclude is the Ministry of Agriculture and Food. I know the minister is here and I appreciate his listening to the debate. I know the minister is aware that this year, as in past years, the farm community is facing a terrible debt crisis. The Farm Credit Corp. has an enormous number of people in arrears. There is a very difficult problem we face in agriculture in this province.

A few months ago I raised in the House the fact that at that time a total of 11,203 Ontario farm operations, or 28 per cent of all Ontario farms, were either insolvent or experiencing serious cash-flow difficulties. That was at the beginning of this year. In farm arrears, there are approximately 9,400 farmers and farm operations that cannot make their debt payments.

1620

I cannot accept the fact that this government is going to continue to wait for the federal government to act. I agree with the minister when he says we need a national program, we need co-ordination and we need the federal government, in co-operation with the provinces, to deal with this serious problem in the farm community. But we cannot wait for Mulroney and for the federal Minister of Agriculture, Mr. Wise, to act. We just cannot.

There are a couple of things the government has done which are certainly welcome. I welcome the extension of the Ontario family farm interest rate reduction program last year. The minister, I know, was very proud of that and thought that it would help the young farmer to reduce his interest payments, stay on the land and become more viable. I am suggesting here, though, that the minister has to give a commitment on a longer-term basis on the OFFIRR program. I do not think the farmers can operate on a one-year-to-one-year basis. If you are

looking at your debt situation and your financing, you have to be able to know over a longer term what your situation is going to be.

I think the ministry should give at least a three-year commitment on what it is going to do with the OFFIRR program so that the farmers who are benefiting from it will be able to better plan the future of their farm operations and also, frankly, so that the banks know what is going to happen and the financial institutions understand the situation over the longer term.

I would hope that the Minister of Agriculture and Food will be able to stand in the House soon and say, "Look, we are not just going to extend the OFFIRR program for one more year; this is how it is going to be for this year right into 1990," so that the farmers know the situation in advance.

There are a couple of bills pending. I understand that the minister has been concerned about how long it takes to get legislation before the House. I reiterate what I said at the beginning. If the House is sitting, it is easier to get legislation before it. If it is not sitting, it is kind of difficult.

I welcome Bill 78, the Farm Implements Act, that the minister has introduced. He and I have had discussions on this in the past, and I think it is a step in the right direction. I had a private member's bill that was similar, very similar—it is amazing how similar—introduced a number of times in the House before, and I welcome this. I would like to say, though, that—

**Mr. Riddell:** It just shows how we take your contributions into consideration.

**Mr. Wildman:** I appreciate it, I sincerely do. I do say, though, that one possible improvement to the bill might be to consider, before we get to actually dealing with it in the House, how we might deal with the sale of used farm equipment, how we might ensure safety of that machinery, and ensure that the purchaser knows he is not buying a pig in a poke and he knows what he is getting.

Also, there has been discussed earlier today in this House the right-to-farm legislation. I recognized what the minister was saying basically when he was having the exchange with my colleague the member for Stormont, Dundas and Glengarry. Possibly we would not have so many problems or perceived problems on the right to farm if we did not have so many urban people living in farm communities. The question is, how did they purchase that land?

I am concerned about the right-to-farm bill, Bill 83, the Farm Practices Protection Act, which has been presented before the House, because it



does not seem to do very much. It sets up a board that could hear complaints and sort of try to mediate complaints, but that is it. Obviously, the farmer in his operation is still going to be subject to all the current legislation he is subject to, the Environmental Protection Act, the Ontario Water Resources Act and so on, and he should be, so it does not mean less restriction for the farmer. On the other hand, for those other people who are perhaps looking for more restrictions on farm operations, it does not do anything for them either, so I do not quite understand what the purpose of the bill is other than to set up this board. We do not really need a bill to do that.

Having said that, I look forward to the budget. I look forward to the government responding to some of the issues that we have been raising. I would hope that small municipalities would finally get assistance for firefighting equipment that this House indicated they should get some time ago and unanimously voted in favour of, even though nothing has happened since.

The last two solicitors general, and one of them is here, have indicated they are in full agreement with this, that the fire brigades in the small communities in the province need assistance. But they have not been able to set up a program, they have not been able to get it through cabinet, they have not been able to persuade the Treasurer, who himself comes from a small community. I do not understand it. The firefighters, the fire chiefs and just about everybody says we need this, yet there is no money for it.

I look forward to the budget. I look forward to a more orderly dealing with the estimates in the future. Once we have the budget and the tabling of the estimates, I look forward to a new system of developing a standard approach to dealing with estimates, a new committee which deals with estimates on a orderly basis in some way or other that is agreed to by the House or, if we do not have that, then we get the committees to do the job they are supposed to do and we get ourselves, as legislators, to do the job we are supposed to do; that is, to be protectors of the public purse.

We should not continue to have motions of supply introduced in this House because the government has not passed the estimates, is afraid of running out of money and may not be able to pay its own civil servants. It is a hell of a way to run a store.

**The Deputy Speaker:** Are there any questions and comments on the member's statement?

**Mr. Harris:** I enjoyed the member's remarks. I want to ask him a couple of questions about a

few areas he raised. One in particular has caused a great deal of concern in my area and, as the member mentioned, has caused some concern. It deals with the resource area and the Northern Ontario Tourist Outfitters Association paper. I was quite surprised when I saw the paper. I do not know if it was internally generated or whether it was generated because NOTOA perceived there was a vacuum out there and nobody was following up with implementing some of the plans which had been talked about in the land-use guidelines and what not.

I would concur that there has been a three-year hiatus on continuing to further that co-operative planning with those groups interested in resources being brought together, such as NOTOA, and the conflict of NOTOA, the hunters and anglers and the local people, the forest industry and the mining industry.

But the NOTOA tourism paper struck me—and perhaps the member has more information—as being very similar to a proposal that was floated by a colleague of mine some time ago, recommending that there may be some lakes that our native peoples should have exclusive jurisdiction to.

NOTOA cried foul. Nobody cried higher or harder than NOTOA did, that our native peoples should actually have the exclusive use of a particular lake, to manage that resource to the benefit of their band and to the benefit of their community. I was shocked when I saw its paper. Perhaps it was meant to provoke comment, perhaps it was meant to provoke the government to get off its duff and start doing something. I wonder if the member knows more about it than I do.

**The Deputy Speaker:** Do other members wish to make comments and ask questions?

**Mr. Polsinelli:** I could say that the member for Algoma (Mr. Wildman) had recounted a number of fish stories during his speech, but of course I will not say that.

What I would like to talk about, though, is the estimates process. The member for Algoma has indicated that the estimates process is quite unsatisfactory. I have to tell him that I agree with him. I think in many cases they are just a waste of time and I do not know why we spend our time doing that. For the government members, they are an opportunity to find out what some of the ministries are doing. For the opposition members, it is an opportunity in committee to try to embarrass the government or, in those cases when the estimates are handled in the House, it is



an opportunity in the House to try to embarrass the government.

But the member for Algoma should know that there presently is a proposal before the House leaders, which they are presently discussing, of a reform of the estimates process. Hopefully, at some brief time in the future, there will be a consensus among the three House leaders and we will have a much more fair, more adequate process to handle the estimates and the budgetary policies of the government.

1630

**Mr. Wildman:** I thank my colleagues for their comments. With regard to, first, the estimates process, I understand and I realize that there is a discussion going on among the three parties at the House leaders' level about a new committee that might deal with estimates in a more orderly fashion. I would welcome that. I think that would be a lot more sensible and might deal with the problem in a more orderly fashion, so that we might deal with at least some ministries on a rotation basis, or something like that.

Frankly, though, I think the government has had the best of both worlds in the last couple of years. It has not reformed the process and it has not had estimates dealt with in committees either. I do not think that is acceptable. I do not think we are meeting our obligations to the taxpayers if we continue to pass, holus-bolus, millions of dollars in funds to the government without real debate and discussion. I admit, though, that most of the estimates in the past were dealt with after the money was spent, which was unsatisfactory.

With regard to the Northern Ontario Tourist Outfitters Association proposal, I agree completely with my friend the member for Nipissing (Mr. Harris) that it was very similar to the native fishing agreement that was proposed by the member for Cochrane South (Mr. Pope), and the NOTOA members were the most vociferous in opposing that proposal. To be fair to NOTOA, it is arguing, I think, that it was just a white paper in response to the government's request for proposals with regard to a tourism strategy and that it was not a definitive statement and was only set out for discussion.

I hope that was the case. NOTOA seems to be backing off right now, and I think that is a good thing because we cannot say to anybody that we are going to reserve crown land for a particular interest to manage at the expense of all the other interests that have a legitimate reason for being in that area. I agree with my friend the member for Nipissing that it is a most strange position for NOTOA to find itself in.

**Mr. J. M. Johnson:** I would like to participate in this debate for a few minutes. Before the member for Algoma leaves, I would like to mention that I support his thrust on the sport fishing industry. I was on a fact-finding mission on Saturday past. We were up looking for fish in Owen Sound harbour. Unfortunately, the fish were not very co-operative and we did not catch too many; in fact, none.

I have always felt that there is a conflict between the sport fishing industry and the commercial fishing industry. It bothers me tremendously when we see a commercial fisherman take out tons of sport fish. They use gill nets and many of the fish will not survive, of course. Then the question is what to do with them even if they keep them. It has been an ongoing controversy, and at some point in time the Minister of Natural Resources is going to have to address the problem and try to help to resolve the conflict between these two groups.

When we think of the sport fishing industry, the Ministry of Tourism and Recreation should be as involved as well because sport fishing brings many benefits to this province. I can think, for example, of the motels, the hotels, the restaurants, the marinas, sport shops, bakeshops and even possibly beer and liquor stores. They all benefit from the fishermen who engage in trying to catch fish. If we allow commercial fishermen to go into the areas that are the habitat for a fairly large number of sport fish, we are then depleting our stock. To me, that does not make a lot of sense.

Surely there can be an accommodation worked out with the two organizations so that we do not have to conflict directly. If we use trap nets instead of gill nets, at least in some areas, it would be of some benefit. It is my understanding that in Ohio, Michigan and New York state they have moved in this direction. In fact, I understand they have even banned commercial fishing in some of those areas.

The Minister of Agriculture and Food has slipped away, and it is unfortunate because I had several comments I wanted to make pertaining to his ministry.

**Hon. Mr. Sweeney:** He is coming back.

**Mr. Dietsch:** Hang on to them. He will be back.

**Mr. J. M. Johnson:** I will see if I can save a few of them.

Anyway, I would like to follow up on some of the comments made by my good friend the member for Stormont, Dundas and Glengarry pertaining to severances. I know some of the



members on opposite sides concur with the comments. One is even nodding his head. It is a controversial issue in rural Ontario and always will be, and it is one that has to be addressed very carefully.

I do think it is something that should be the responsibility of the local municipalities to have some input into. If they do not have actual control, certainly they should have more input than they have at the present time. It does not make sense to me to have bureaucrats sitting in Queen's Park who have never even been close to there to determine whether land is indeed of the first quality, second quality or third quality. That does not make sense.

**Mr. Villeneuve:** And they are calling the shots.

**Mr. J. M. Johnson:** Yes, they are. The minister may feel that it does make sense because he is in control of the situation in Toronto, but it is impossible for a few individuals to be able to determine all the land in question. I have always maintained that the local people should have some rights.

I might make reference to the Sunday shopping issue, which has been thrown at us so often by our illustrious Premier. He says the government is giving local autonomy to the people. Why not give us something meaningful? Instead of just a simple question on Sunday shopping, why do the Premier and the government not return some control of land use to the municipalities, counties and regions, so that we have some input? Local people know the conditions better than people living in the cities.

Interjections.

**The Acting Speaker (Miss Roberts):** Order.

**Mr. J. M. Johnson:** There is absolutely no question that the first priority must be to protect our farmers and to protect good agricultural land. That is quite sensible, and I think everyone would concur with that. But as the member for Stormont, Dundas and Glengarry has pointed out, there are many parcels of land that are not suitable for farming and that would make excellent locations for small industries or urban development, and in areas that will not conflict with the farming practices.

**Mr. Villeneuve:** Absolutely. Common sense is what we need.

**Mr. J. M. Johnson:** The member on my immediate right says we need common sense, and that government certainly does.

I was hoping the Minister of Agriculture and Food would be here for my next comment.

**Mr. Breaugh:** Make it anyway.

**Mr. Villeneuve:** He can read about it.

**Mr. J. M. Johnson:** He can read about it later possibly. I would like to mention a letter I received just today from the Ontario Farm Animal Committee. This is a group that people have set up because they are concerned about the animal rights movement. They consider it one of the most serious threats facing agriculture in Canada today.

"OFAC wholly supports responsible animal welfare and care and we are working with recognized animal-welfare societies, and with government in an ongoing quest to improve the legislation, regulation and codes of practice already in place to protect the wellbeing of animals."

No one is going to argue that animals should not be well cared for and looked after. There are very few farmers, and certainly none I know of, who are sensible who would in any way cause harm to their animals. They think more of them than do any of these people from outside the communities who come in and try to tell them how to look after their animals.

I feel that the minister and this government have to address this very serious concern. We have to address it before it becomes something that is out of control, and I encourage the minister to take some action immediately.

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The Minister of Agriculture and Food has always considered severances and the control and use of land in rural Ontario a priority, but I wonder where he is when municipalities are faced with the dilemma of opening a sanitary landfill site or a glorified dump. The Minister of Agriculture and Food should be in the lead in protecting that land. You cannot use gravel base, you cannot use rock and you cannot use many qualities of land that are not suitable for farming but you can use good-quality clay land and that is where the dump sites end up. We take our good agricultural land to fill it up with garbage and that does not make sense in today's society.

I have the problem in the county of Wellington and it exists, as everyone here should know, certainly in the city of Toronto and in many other areas around this province. There should be more guidance, advice and direction given by the Minister of the Environment (Mr. Bradley), the Minister of Agriculture and Food and the Minister of Energy (Mr. Wong) because one of the ways to solve part of the problem is to produce energy from waste facilities. If we cannot get this advice and guidance from these



ministers, then they are not fulfilling their mandate to govern this province.

Last Thursday, April 7, I had the opportunity to meet with the Wellington County Roman Catholic Separate School Board; the Minister of Education (Mr. Ward); the parliamentary assistant to the minister, the member for Ottawa-Rideau (Mrs. O'Neill), and two boards, the Wellington separate board and the Wellington County Board of Education—not at the same meeting but at two separate meetings—and also the member for Guelph (Mr. Ferraro).

We had a very interesting meeting with the minister and are quite sure that the minister will accept the concerns expressed by both boards. The bottom line, quite simply, is that the county of Wellington and the city of Guelph received pennies last year under capital allocations. They received a few dollars to repair the roofs of a couple of schools. That was the total sum.

There is all kinds of pressure exerted by Peel and some of the larger boards. They do have a need, which certainly it should be addressed as much as possible, but at the same time you have to accept the fact that the smaller counties and the smaller cities have the same concerns. They have growth, if not to the same degree, certainly to a degree that is detrimental to the present school system.

For several years the Wellington County Board of Education has placed a school in Fergus named Belsyde at the head of its list as a school that it wants to see as its top priority. The ministry has promised to give consideration this year to that request once more. I certainly hope that consideration is given because I do feel that there has to be consideration given to all of the province and not just isolated large growth areas.

I am not sure I should mention this once more, but I will—that is, Sunday shopping. The only reason I mention it is that I did take part in the debate last week, but this morning I received another letter. It is a very important letter. It arrived from the Mount Forest United Church. That happens to be my church, so I feel I should read it into the record.

It is addressed to the Honourable David Peterson and it mentions that, at the session of the Mount Forest United Church, the following resolution was passed. I will read the resolution into the record:

"Whereas this session of the Mount Forest United Church considers the declaration of intention regarding Sunday opening by the government of Ontario on December 1, 1987, a

major threat to a commerce-free Sunday in Ontario;

"Whereas this declaration by the government of Ontario is considered unacceptable by members of this session, for the following reasons:

"1. Sunday shopping deprives both employers and employees of the right to be with their families or attend church, and as a result, will adversely affect family life;

"2. Persons should be protected from unwanted conflicts of conscience between working on Sunday and religious beliefs;

"3. Municipalities not in favour of Sunday shopping would be forced to comply with the concept in order to compete with those in municipalities where Sunday shopping is permitted;

"Therefore be it resolved that the session of the Mount Forest United Church support the Coalition Against Sunday Shopping in the province of Ontario."

Signed, "W. J. Brown, Clerk of the Session."

Naturally, I totally support the views set out by the church I attend.

I would like to mention one concern I have. I am not sure it is factual, but if it is not, it can soon be corrected. It is my understanding that the Ministry of Government Services is going to consider presenting plaques or having plaques made up for Ontario citizens who will be celebrating their 40th wedding anniversary or their 80th birthday.

At the present time, as members well know, citizens receive plaques on their 50th wedding anniversary and on their 90th birthday, and later dates of course. The plaques are presented by the member and bear the member's name. Naturally, they are signed by the Premier, as they should be, but it is also my understanding that in the future the plaques will bear the name of the Premier but not of the member making the presentation. I hope this is not correct, that there is a misunderstanding.

I have sent a letter to the Minister of Government Services (Mr. Patten) and have requested that he clarify whether this is indeed going to be the case. If it is, I am going to be extremely disappointed, because the plaques will be nothing more than an advertisement for the illustrious Premier and leader of the Liberal Party. I might also point out that my estimation is that it would increase the cost of the program at least fourfold.

One other concern I have related to this is the fact that, at the same time, the Ministry of Government Services is responsible for the mail



service in this Legislature. As I pointed out in the standing committee on the Legislative Assembly, which I am a member of, sometimes mail takes 10 to 12 days. In fact, one of the Liberals' own members mentioned the fact that 14 days is not the least bit uncommon. Part of the problem is Canada Post, but it is also my understanding that as soon as the mail arrives in this building, it becomes the responsibility of the Ministry of Government Services, and the time turnaround is too long.

If a constituent wishes to contact a member, I hope that the member would try to respond within a reasonable period of time. I personally try to return phone calls the same day and mail within a day or two, but if it is 10 to 12 days late in arriving, sometimes it is too late by the time I receive it.

I think if we are going to spend money on anything, it should be to increase our mail service or the delivery of the mail and not worry about presenting plaques to people on their 80th birthday or their 40th wedding anniversary.

**Mr. Villeneuve:** With the Premier's picture on them.

**Mr. J. M. Johnson:** With the Premier's signature on them.

When we are speaking of plaques and people receiving them on their 80th or 90th birthdays, naturally we are speaking about the elderly, and I feel that we should be giving more support services in home delivery to the elderly. Rather than presenting them with a plaque, we should have that amount of money spent on some other more beneficial, positive action.

One concern I have had is that on numerous occasions it has been mentioned that, of all the new support services that are coming in for the elderly, I find that in my riding of Wellington we receive very few of these. I might point out to the Minister of Community and Social Services (Mr. Sweeney) that sometimes we may think too much of the cities, where there is a large number of people, and have a tendency not to be as concerned about the smaller communities.

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Every citizen in the province, regardless of where he lives, should receive the same consideration. I realize that at times there are pilot projects and he has to zero in on certain areas, but I suggest the minister could take a look at the smaller communities and try them as his pilot projects instead of always zeroing in on the cities. I would request accommodations—what do you call the homes they put up for seniors?

**Mr. Villeneuve:** Municipal nonprofit.

**Mr. J. M. Johnson:** No, the little cottages beside the—

**Mr. Villeneuve:** The granny flats.

**Mr. J. M. Johnson:** I have had requests for granny flats in my riding. I am not sure they would serve the purpose. I think they are too expensive, for one thing, but I do think that some money spent on helping people convert their homes, especially older and larger homes, with a small apartment for the father, mother or in-laws, would serve the same purpose at much less expense to the government. I strongly encourage the government to give consideration to more of this initiative.

I understand there are some situations like this around the province, but I think it would help to relieve the housing problem, as well as help to give more support to seniors in the home atmosphere and yet retain privacy between the children and the parents. The Minister of Community and Social Services, the Minister of Health (Mrs. Caplan) and the Minister of Housing (Ms. Hošek) should give some consideration to more initiatives in that direction.

I would like to close on a concern I have about the elderly. In my riding, in the little hamlet of Hillsburgh in the township of Erin, there is a senior citizens' apartment building. It was built in two storeys and there are approximately 30 families living in the residence. The problem is there is no elevator. If one of the people confined to the second floor should suffer a stroke or have a heart condition, he can no longer stay in the building. Naturally, there is no place for him on the lower floor, because the places have all been taken.

Several months ago, the people of this building requested my assistance in obtaining either an escalating chair or an elevator. The government has made commitments to provide elevators in certain conditions. I cannot think of a better place than in a senior citizens' building. In fact, I am nearly positive that now the government would not allow a building that had more than one storey to be erected if it did not have an elevator, but we do have many in the province that are in this situation.

I hope the minister will confer with the other ministries that are involved in this and provide some funding so that these people can obtain elevators in two-storey seniors' apartment complexes, because they really are locked in their apartments. They cannot get out. The buildings are mostly filled. It is not simply a matter of moving to the lower floor. The minister could not



find a better place to spend money than to help our seniors. I think he will agree with that.

**The Acting Speaker:** Are there any honourable members who wish to make any comments or pose any questions to the member for Wellington?

**Hon. R. F. Nixon:** If I may, I am glad I heard the honourable member make his usual valuable contribution to these matters. We just put up a senior citizens' apartment in a hamlet in our community, and like most of the others that have gone up under the program that was sponsored by the government of Canada and the government of Ontario for years gone by, the design of these three-storey buildings is usually on a slight incline so that you can enter at the ground level for the first floor and also for the second floor. That usually leaves the third floor without an elevating device.

Quite often, I think the plan is good enough; maybe not perfect, but good enough. In our own instance in St. George, the Lions' Club felt, just as you do, that they really should not allow the building to be built without an elevator and went out and raised the money to put one in.

At the time, the program of the government did not permit an elevating device in a senior citizens' apartment of that type. It has an elevator because of initiatives taken locally. Most of the ones in my riding do not have elevators, but they are designed as I have described and seem to work reasonably well.

**Mr. J. M. Johnson:** I have a comment to the Treasurer: In the community of Rockwood, there is a three-storey building and it has two elevators that work extremely well. In the situation that he mentions, the three levels, I would accept that.

In the case I mentioned of the hamlet of Hillsburgh, it is a two-storey structure with no entrance to the second floor except by stairs. It is on a flat level. There is no way a ramp type of approach could be used. I concur it was a mistake in design at the time it was built. There is no way seniors should be put on a second floor without some type of accommodation, because at some point in time they will require the services of an elevator or they will move.

At the late time in their lives, I think we should encourage their being allowed to stay as long as they can in an apartment they have become used to. But I know of at least three seniors' apartment buildings in my riding—in fact, four—that have two storeys and have no access except for the stairs.

**M. Pouliot:** Je prends plaisir à avoir quelques minutes pour participer à ce débat.

I take some pride in taking a few minutes. I am not going to take too much time. I wish to highlight—

[Applause]

**Mr. Pouliot:** Would somebody have the courtesy of capping the bottles, please? I think it comes under standing order 24(b), disruption while a member is speaking. If you cannot control yourself, try to emulate the member for Lake Nipigon in decorum and good manners.

When he opened last week, the member for Nickel Belt (Mr. Laughren)—members will recall the debate on behalf of our party—in his usual nonpartisan fashion made mention of the difference between 1985, when the electorate of Ontario elected a minority government, and the present state of affairs in 1988. I too would like to take a few minutes to very vividly recall the atmosphere that prevailed, not only in 1985 after the election but specifically before the accord was signed.

It was shortly after the election. The atmosphere was different; changes were coming. I remember it was right outside here, in the west lobby, when some of these people from the Liberal Party and the New Democratic Party were sharing the same premises.

In fact, I remember the member for Renfrew North (Mr. Conway). It was one of my first days. I was very candid, very timid, so I tiptoed—

Interjection.

**Mr. Pouliot:** Truly, I have changed. I was having a cup of coffee and the member for Renfrew North said, "Hi, Gilles." I said, "How are you today, sir?" He said, "More importantly, how are you?" It was the good old days.

People like the member for Parkdale (Mr. Ruprecht) and the member for Essex South (Mr. Mancini) were inviting people very openly to oil their way across the floor. It was to be some time before I knew what they were talking about.

1700

I also recall very vividly having been so impressed that I called home after six o'clock one evening. I said: "Suzanne, those people are our friends. Yes, they are our friends." She said: "Gilles, don't get overagitated. I know you. You take things very seriously." I said: "I do, I believe. They are almost like we are." She said, "You better check it out with Jack." So I called Jack Stokes, my predecessor. Jack Stokes said: "Gilles, you are probably right. Just go to the library and read Machiavelli."

Then I began to understand that we were in the process of being had, that those people were



tacticians. Nothing was impossible then. The future was going to be right. We were going to have an agenda for reform. Imagine the chances we had of achieving fair play when the government had people like the Treasurer (Mr. R. F. Nixon). Add to him the member for Renfrew North and some of the people—Ottawa or Toronto, it makes no difference.

**Hon. Mr. Grandmaitre:** Hey, hey, hey; enough is enough.

**Mr. Pouliot:** No, with the highest of respect, Madam Speaker.

Making an accord with qualified, but nevertheless, first time arrival—I say this with the highest of respect, because this person will not be had again. The member for Oshawa (Mr. Breaugh) acted in good faith.

The following two years were to be fine years. After all, the New Democratic Party of Ontario, with its reputation for social conscience, had succeeded in convincing the Liberals—

**Mr. Villeneuve:** You thought. Careful; pure thought.

**Mr. Pouliot:** Wait until I get talking about federal laws on solicitation. I do not have to be careful now.

We had succeeded in convincing them: "If you want power, we will draft 24 or 25 items, not 85 or 90. We're reasonable people. Together, we will do it, but the agreement will last for two years. We'll give you a break, so the people will not throw you out of office too soon. You will have time to implement the reform." Sure, there was the odd threat or ultimatum, but they were not serious.

I have to commend them. This historical agreement lasted two years. Then the temptation became irresistible. They said: "Two years and four months. We can read polls. We have just about had enough." They went to the people under the pretext that we needed a strong government. They said, "Give us a strong mandate to deal with the federal government on the issue of free trade, among others."

I was not like this before, but I will be very careful the next time a politician approaches me soliciting my support and says, "Gilles, give me a strong mandate." I am not the least bit biased or prejudiced, but I will have to be careful that I do not automatically vote against her or him. It is a terrible situation.

Today, as the result of that endorsation—and the people of Ontario deserve far better; look at them, Madam Speaker—they have become complacent, they have fallen asleep. They are a lame duck conglomerate in the first year of office.

Terrible; it is a terrible situation. The people of Ontario are starting to ask, "What's going to happen in terms of your promises and your agenda?"

A few minutes ago, my predecessor mentioned some of the social amenities that needed to be improved in his riding. I represent the riding of Lake Nipigon. Our riding is 114,000 square miles. Some of those social amenities, in the riding of Lake Nipigon, need not be improved. They simply do not exist. Things are getting better.

The government does not know how, but the government is trying with goodwill and with faith to improve the situation in the northern part of Ontario. I really believe that it is. However, the idea or the sentiment that the marketplace always chooses better is not enough up north. The Premier (Mr. Peterson) can tell us in Sault Ste. Marie, and he can repeat in Thunder Bay, that we have to draw from within, that we have to come up, as northerners, with our own answers. It is OK for an evangelist to say this, but it does not quite work. What works are positive alternatives and we have offered them to the government.

Ontario Hydro, in an overcapacity situation in northern Ontario, has never been asked to play a leadership role. It has more electricity than the system needs. We are not saying that it should give it away, but why not use it as a tool, as an incentive, to give people a break? Give the small business people a break. Give the consumer a break. It is done elsewhere and it works.

Reduce the sales tax, not by the full seven per cent, but reduce it by a few percentage points for goods that are manufactured or produced up north. Well, we do not have any. That is why. It may be one reason. Entrepreneurial spirit is alive and well but it cannot do it by itself. We need a blended economy. We need a gentle push to compete with the Barriers of this world. Things are not the same in northern Ontario. We need a little bit of help. People will say it is not enough. Others will say, "You always say it is not enough." We do not really bitch for the sake of bitching.

The future can last a long time. We know, we are filled with patience up north. The Treasurer gives us a northern heritage fund. Out of a budget of \$30 billion, he gives us \$30 million 10 years after the fact. Really, \$30 million here, \$30 million there, pretty soon he will be talking about real money. That is really not enough.

Madame la Présidente, comme je me souviens, comme je me souviens; I want to say a few



words about some of the items. I promised I would not talk about 11 per cent of our people not having plumbing facilities in the riding of Lake Nipigon. This is 1988. Some of the members have travelled halfway around the world. Some of them have been totally around the world. When we talk about the human dimension, about basic necessity, we are no fools. Eleven per cent do not have toilet facilities in Lake Nipigon, and yet I go to Markham, a short plane ride away, again in 1988 in this very rich province, and I see that more than 80 per cent of the homes have two.

When I go to the government, you know what it tells me? It tells me it is a federal matter. I thought it was a plumbing matter. So I go back up north and I have one difficult time. I do not speak Ojibway. They do. I know that they are entitled to the same basic necessities as others. It is not a joke; I have one heck of a difficult time telling them about the difference between provincial and federal jurisdiction. We have one heck of a time.

I travelled the road on the Trans-Canada Highway. We have presented petitions to the Minister of Transportation (Mr. Fulton). Letters: I am a prolific writer and I will not stop. We have spoken in this House about the need to upgrade and expand our road system up north.

Lorenzo Gauthier, an ordinary person, a worker who lives in Marathon, goes to work and travels about 40 kilometres each way 10 times a week. This is what he says about the roads up north. "Half the time you have to drive over the yellow line because there are potholes at least six inches deep at regular intervals along the sides." That is the Trans-Canada Highway. That is what we have to go through, or around, to go and make a living.

1710

The Minister of Transportation has the audacity to get up in the House, with great fanfare, with the support of the trained seals, and mention that he will be paving the soft shoulders on the Trans-Canada Highway in southern Ontario, while we up north are more concerned about the section between the soft shoulders. Trying to get through to the minister is very difficult.

What is not difficult is the realization that we are being bypassed, that we are not getting our fair share. We export our resources. Most of us came up north 20 or 25 years ago to improve our lot. We chose to go up north. I worked in a mine for 20 years in a small town named Manitouwadge. We started by exporting the resources. Today, the mine has only 10 to 12 years of proven ore reserves left. For 30 years we have tried to plan for the future so that we can look to

tomorrow with confidence, so that after having exported the resources and our sons and daughters we will not necessarily, as a grand finale, have to leave ourselves.

It was a condition that we were forced to accept in advance. Some of us passed five, 10, 15, 20, 25 years, but almost inevitably the day would come, when your work years were over or the mine had run out, when you would be asked to go elsewhere.

I think if the government means what it says, if it plans—and we have not done this up north and this is the tragedy. The government has been studying us to death. The government has spent thousands and thousands of dollars to prove that Rossport is located on water. What we need is planning. We are no longer the only kid on the block where we automatically sell our resources.

The recommendations are in those studies. We want to know where we will be five or 10 years down the line. I really believe that the government has the goodwill to do so. It does not have the methodology, but I think it means what it says about giving the north the chance to get involved in the economic mainstream of Ontario.

We have had so many studies that we find it difficult to believe. At one time, if you sent 15 or 20 jobs up north or if a minister paid us the compliment of a visit—if the Treasurer, for instance, came up north and granted us the pleasure of an audience, and if he were to listen to our legitimate grievances, we would believe.

**Hon. R. F. Nixon:** I have been in Red Rock. I do not remember seeing you there.

**Mr. Pouliot:** The Treasurer was not there during the last campaign; I was.

But they are not giving us a chance to look to tomorrow with confidence. With the stroke of a pen, the Treasurer can do that. He has that power. He has \$30 billion of the money of ordinary people, people who have been subsidizing the less fortunate in our society because we are civilized. But they are people who have also been subsidizing the more fortunate in our society, and that is wrong. Life is very short, it is very condensed.

All we are asking is to put into practice—and it is a reasonable request—the recommendation of Rosehart. It does not cost that much money, but it demands planning. It demands commitment, it demands political courage, it demands goodwill.

The Fahlgren report, 114,000 square miles, 41 postal codes, more than 50 communities the size of Prince Edward Island, New Brunswick and Nova Scotia put together and multiplied by two, are asking the Treasurer—that is what it is. I travel



more than 100,000 air miles a year and I have to almost literally plead with the Board of Internal Economy Internal Economy for the right to service our constituents while I see some government planes—and we welcome everyone in our riding—go back and forth, not always full.

If we had co-operation, if we were interested in giving people value for money and if we meant what we said, rather than send the minister with a few cheques, then, more important, we would be paying attention to the needs and the aspirations of the people, in this case the people of Lake Nipigon.

I wanted to talk about the heritage fund. I wanted to talk about trucking. I wanted to say a few words in French. I wanted to talk about health matters, about energy, gas, hydro, natural resources and native issues. The shortcomings associated with the people of northern Ontario are so many. But I would be hypocritical if I did not mention that, as I examine each dossier—some of them, albeit, are still very embryonic—I sense goodwill, I sense some commitment; but there is a dramatic shortage of dollars and there is still some lack in terms of addressing the matter expediently.

**Mr. Philip:** The member said he wished to talk about trucking but he did not do so. In light of deregulation by the Liberal government, I wonder why he is concerned about the potholes on the roads in northern Ontario because, as many of the Canadian and Ontario trucking companies go bankrupt thanks to that legislation, there will not be that many trucks in northern Ontario.

**Hon. R. F. Nixon:** I would like to say something if I may. I always enjoy the member's contribution. I should just point out to the members who are here that the score at Exhibition Stadium right now is 13-7 for the Blue Jays and they are in the seventh.

The member, in talking about the extent of his constituency, reminded me of an occasion some years ago when the government undertook to fund and organize a tour of all members through that part of Ontario. I used to urge the government of the day to organize it again since it was such a tremendous eye-opener. The nice thing is that members from all parties went together. We were not going on some capital-P political expedition. We certainly went right through Trout Lake, to Severn and Attawapiskat and Winisk and all those places that all the members should visit some time during the four-year or five-year term that we have been elected to. It could be that the member might use

his undoubted persuasive powers and initiative to persuade my colleagues to plan for such a trip, say some time in August, and we could see these things.

My own experience in travelling in the north is not as extensive now as it used to be. I used to try to use my persuasive powers in the north, usually to no avail. I remember when I went to Red Rock it was usually to speak to a throng of about nine people, all very friendly and receptive, and that is why I said I did not see him there. I have gone up the logging road to Ombabika and had a large Liberal meeting at Ombabika Bay with several whitefish attending.

Maybe some time during the summer we could undertake it. If not this summer, next. Let us get working on it.

**Mr. Pouliot:** I have a brief response. Most people, unfortunately, who visit the riding of Lake Nipigon—and there are not that many members; I guess they are so busy with their own backyard, which is a normal reaction—do so to come fishing. It is not a fishing story. In Lake Nipigon, indeed, you have the best fishing in Ontario. We extend to Hudson Bay, at Fort Severn, which is the northernmost community in Ontario.

My good friend the member for Etobicoke-Rexdale (Mr. Philip) made a brief mention of the proposed deregulation. It is not reregulation but deregulation of the trucking industry. Perhaps if he had had more time, he would have made mention of what it will mean to the travelling public in northern Ontario when we know already up north that truck traffic has more than doubled in less than five years. Safety will be jeopardized. As people compete in the large places, the first thing to go will be the element of safety.

Regulation is there for a reason. It is there because remote communities—it is a tradition in Canada—would not, under the auspices of a free enterprise system, have had access to the delivery of commodities. We rely less and less on the railroads. They are not really competitive, so we rely on trucking. With the road conditions that we have and with the safety element being jeopardized, the people of the north will suffer a great deal when, or if, this government introduces deregulation.

1720

**Mr. McLean:** I am pleased to have this opportunity to make a few remarks on the interim supply. I would like to focus most of my attention on the tourism industry, both in the riding of Simcoe East and in Ontario. I would like to spend



a little time outlining this very important and vibrant industry because I believe a healthy tourism and hospitality industry will ultimately create employment and capture a large percentage of foreign visitors to Canada and also increase the revenues of the Treasurer.

Tourism represents a very real new frontier of growth for Ontario. Evidence of this is contained in the Ontario Study of the Service Sector, which was commissioned by this government and released nearly two years ago. That report indicates that the service sector, in which the tourism and hospitality industry is the mainstay, now accounts for 73 per cent of employment and 70.2 per cent of gross domestic product and will account for an estimated 80 per cent of all new jobs that will be created during the next decade.

Employment demands in 10 occupational groups in the Ontario accommodation and food service industry have been forecast by the Department of Employment and Immigration to increase by 24 per cent, for a net gain of 37,000 new jobs between 1987 and 1992.

These optimistic forecasts and projections are based, in part, on the healthy provincial and national economies. While the methods used by the governments and other restricted forecast agencies provide a sound basis with which to gauge current and future economic activity, there are equally important circumstances which will impact on this industry's ability to sustain its impressive economic growth and create thousands of meaningful and productive employment opportunities.

Chief among these factors is the desire and willingness of this government to encourage private business productivity and enterprise and to stimulate capital formation and profits in the private sector through prudent fiscal policies and sensible legislation and regulation.

With the assistance of this government, the tourism and hospitality industry must plan, develop, finance and provide an increasingly broad and diverse range of quality tourism and hospitality products, services and experiences which appeal to the more demanding and sophisticated business and pleasure patrons from our own domestic market and from around the globe. These products and services must be competitively priced and offer good value or the industry will be swamped by intensive competition from bordering and foreign jurisdictions.

The advertising and promotion efforts of both the public and private sectors in tourism should be broadened and intensified if the tourism industry is to maximize its business opportunities

and its share of the market. Clearly, responsive and responsible public policies exert the greatest impact and influence on the fortunes of the tourism and hospitality industry, and that industry is looking to the Minister of Tourism and Recreation and his government to provide continuing leadership, counsel and assistance.

The entrepreneurial spirit is alive and well in the tourism and hospitality industry, and this spirit will continue to survive and flourish as long as there is an appropriate level of co-operation and support from this government, and that means leadership, something we have not yet seen with this government, especially when it comes to the tourism and hospitality industry.

No matter how you look at it, the impact of the Ontario tourism and hospitality industry on local, provincial and national economies is extremely substantial. Preliminary estimates for 1987 indicate this industry fostered \$9.3 billion in direct tourism expenditures in the Ontario economy. In 1985 the industry contributed \$1.1 billion of this province's consolidated tax revenues, including \$345 million in retail sales taxes, as well as generating \$1.4 billion and \$300 million in taxes for federal and municipal governments respectively.

The Ontario tourism and hospitality industry accounted for 402,000 full-year-equivalent jobs in 1985, or 10 per cent of this province's total employment for that year. As one of Canada's largest export industries, this province's tourism and hospitality industry generated \$2.2 billion in valuable foreign exchange earnings in 1985. Preliminary estimates for 1987 place this figure at \$2.9 billion.

The Ontario tourism and hospitality industry has clearly demonstrated that it can and will generate millions of dollars in new wealth and taxes as well as creating badly needed jobs in this province, but this can only happen through the support and assistance of the provincial government. There are a number of ways this government can ensure that the tourist industry remains vibrant and healthy.

As members are aware, I have introduced Bill 24, which will establish a Tourism Advisory Board. This board would be composed of 12 members representing industry, labour and government to advise the government on matters concerning tourism and hospitality in Ontario. I introduced this bill because it is quite clear to me that the tourism and hospitality industry can provide unparalleled economic and employment opportunities, substantially reduce our provin-



cial travel deficit and attract our rightful share of world travel and tourism revenues.

To do that, the industry relies heavily on the provincial government to generate creative, innovative and sensible public policies and financial stimuli. In order for the government to do this job effectively and efficiently, this government should and must rely on input from the experts. In this case, those experts are to be found in the tourism and hospitality industry itself.

This Tourism Advisory Board that I have proposed would develop innovative methods for working with all government ministries in creating programs and policies aimed at strengthening and expanding the tourism and hospitality industry. It could look into and make recommendations about revamping a growing number of government regulations, acts, controls, licences, taxes and levies, fees, tariffs and assessments which I believe discourage investment and enterprise, and those which are counterproductive.

This Tourism Advisory Board could receive input from such local agencies as the Orillia and Penetanguishene chambers of commerce, Tourism Orillia, Tourism Ontario and the Huronia Tourist Association for important information from the grass-roots level of the tourism and hospitality industry.

I would further recommend designating Highway 93 as the Charles Drury Heritage Highway. This is something the Minister of Transportation, the Minister of Tourism and Recreation and the Minister of Agriculture and Food (Mr. Riddell) should be working together on.

Charles Drury was appointed as the province's first Minister of Agriculture in 1888. His son, E. C. Drury, served as Premier of Ontario from 1919 to 1923, with the Treasurer's father, I believe, serving in Mr. Drury's cabinet.

### 1730

At this time in Ontario's history, Charles Drury's grandson, Robert Drury, is the reeve of Oro township. As members can see, the area I am talking about today is steeped in history. I believe the Minister of Transportation, in co-operation with the Minister of Tourism and Recreation can honour this history by designating Highway 93 as a heritage highway in 1988, which is the 100th anniversary of Charles Drury's appointment as Ontario's first Minister of Agriculture.

As the Minister of Tourism and Recreation and his colleague the Minister of Transportation will now know, their ministries have been approached by members of the Simcoe county

council in the past asking for Highway 93 to be designated as a heritage highway. Simcoe county council supports this idea, as do municipalities in the area, as I do as well. I would urge them to work together with the Minister of Agriculture and Food and perhaps have this named the Drury Highway for the 100th anniversary.

The erection of more signs on major highways throughout Simcoe county and the rest of Ontario is needed to direct vacationers to major tourist centres or to such attractions as cruise boats, museums, historical sites and other important events or attractions. Municipalities and attraction owners and operators spend a considerable amount of time, effort and money on promoting what they have to offer, but this will all fall by the wayside if tourists are not directed on how to get to these sites.

Tourism literature should be exempt from provincial sales tax. I am certain that an estimated provincial government expenditure of \$7 million per year on tourism industry promotional literature would be returned to the provincial Treasurer several times over through increased revenues created by this industry and, therefore, increased taxes in other areas. I would also urge this government to curtail the expansion of camping and conservation areas and extend the camping fee adjustment period in provincial parks to ensure a fair form of competition between private campground operators and provincial parks.

The Minister of Tourism and Recreation should take a close look at the operations of Ontario Place and give serious consideration to selling the Toronto lakefront attraction to the private sector. I was dismayed to learn from the ministry's annual report that attendance plunged by 14 per cent this year at Ontario Place and that Toronto's waterfront tourist attraction lost nearly \$900,000 this year, even after this government doled out about \$4.9 million worth of operating and capital grants. The annual report indicated that, without the provincial grants, Ontario Place's loss on day-to-day operations would have been a staggering \$4.1 million this year.

It was right that the government got involved in setting up this innovative form of attraction 15 years ago, but it is also right that the government should consider selling this property, this money-losing facility, to the private sector so taxpayers will not have to continue pumping millions of dollars into it annually. I believe public funds were used wisely to establish Ontario Place, which served as a catalyst to waterfront development in Toronto and provided



entertainment and recreation opportunities for visitors from throughout Ontario and the United States, but attendance has steadily declined and that decline will probably worsen when the Toronto Argonauts and the Toronto Blue Jays move from Exhibition Stadium to the new domed stadium in 1989.

Ontario Place could be sold to the private sector for \$100 million or more and the proceeds divided equally among 10 Ontario municipalities that could develop theme parks of their own to attract tourists and boost their local economies. The time is right for the proceeds from the sale of Ontario Place to be used by these municipalities in Ontario to launch these theme parks on their own.

These are only a few of the areas where I think this government should be showing leadership and playing a stronger role in ensuring that an important segment of the Ontario economy maintains its momentum and remains vibrant and healthy. Tourism needs more appropriate programs and policies. It needs more research and study into marketing and some of the new technologies which are now available, or will become available, to support a revenue-, tax- and employment-producing leader in industry in Ontario.

The Ministry of Tourism and Recreation has maintained a strange silence about this industry over the past two or three years, and I believe the time has come for that silence to end. It is now time for the minister to speak out loudly about the industry he is supposed to be looking after. It is time to show leadership before we find our visitors, revenues and jobs in the tourism industry declining. We cannot sit back and let other provinces take over Ontario's lead in attracting visitors from throughout Canada, from our neighbours to the south and from other countries overseas.

When I talk about tourism, I think of the boat cruises in the Georgian Bay, the Thirty Thousand Islands. I think about the shrine, the great monument in the riding which is now Muskoka-Georgian Bay, which I at one time had the opportunity to represent, the tourist attraction that is there at Ste. Marie Among the Hurons. I think of the Stephen Leacock home in the city of Orillia. There are many attractions in the area that are good to bring the tourists here.

If the Treasurer at one time had left the ad valorem tax on instead of making it 8.8, which we finally got reduced to 8.3 cents, then we would be paying about 3.5 cents less a litre today than we are at the present. But the Treasurer in

his way decided that he needed extra revenue and therefore he wanted to gouge our visitors who are coming in here.

The other area that I would like to touch on briefly, and I would hope that this government will show some leadership when it comes to talking about it, is garbage. In the region of Halton they have spent some \$18 million and they have not got a disposal site yet. My understanding is that they are taking it to Niagara Falls and somebody is picking it up from Niagara Falls and taking it to the United States. I am wondering if the Minister of the Environment knows where it is going. Is it going there, being put in an incinerator and coming back across with the wind?

Garbage in this province is a disaster, and we are not getting leadership from the minister. He can go and tell the municipalities, as he did last week in my riding, two of them, that their dump site is no longer to be used. He gave them one week to close a waste disposal site. That is totally unacceptable to me and to all the people who are involved. But here we are now, there are seven local municipalities now whose dump sites have been closed.

**Mr. Ballinger:** Not for years though.

**Mr. McLean:** Well, I have got to tell the member that the minister has to show some leadership, and when he closes a site down there has got to be an alternative site established for every group of municipalities in order to get rid of their waste.

That is only one small area of concern when we look at the problem we are having across all of Ontario with regard to our garbage.

I remember not too long ago—I believe it was last September some time—when I remember hearing the Premier indicate something about a promise of 60 per cent funding for schools. My observation today is that the percentage is down from what it was last year. It concerns me when the people have faith in a politician who makes promises and does not keep them. I find that unacceptable.

I remember not too long ago when there were promises made with regard to dental coverage for seniors; Ontario health insurance plan premiums would be done away with. I have not seen those commitments fulfilled. I am as concerned about the seniors of this province as anybody is, and when we look at the cost of dental bills for these people, it is atrocious.

1740

The Ontario health insurance plan is supposed to be free. We have not seen that. On hospital



capital funding, I hope that the Minister of Health (Mrs. Caplan) is looking at the facilities across this province to make sure that we do get the capital funding that has been requested, and I look forward to taking part in that.

I could also read members the story about the person who goes from the cow barn to the college, and I am sure the Minister of Agriculture and Food will be interested in that, because he is well aware, as the rest of us are, of the young people who go to the barn at 4:30 in the morning to do a couple of hours' chores and then head off to college. I know it is important that we all get that college or university education. The problem is that they do not come back to the farm, and today I have to say to the minister—I am glad to see him here—that I would like him to tell me where we can get farm help today.

I know that the federal government has instituted a policy and wants to bring help from overseas. We had that policy years ago, and I happen to be one of those people who has brought people from Ireland, from England, and I had Cubans who worked for me at one time—always reliable, they were there.

It was interesting, being at a maple syrup festival the other day, to see this young lad there with two children, a young lad I brought from England to work for me, probably 20-some years ago. He is here and one of our great citizens today, and still in the farming business. It was a delight to see that young man and his two small children. He has really added something to the economy of this province.

I am serious when I say that there is a crying-out need for farm help. My son at the present time needs help. He cannot get it. I would love the minister to be able to tell me and the people of this province how these farmers who are having difficulty getting help can get it.

**Mr. Ballinger:** Why don't you apply?

**Mr. McLean:** After the next election, there will probably be several of the government party who will be able to apply for that, seeing that the member for Durham-York has brought up the subject.

Mr. Speaker, I want to thank you for the opportunity to speak on this interim supply bill. It gives the person the opportunity to relay a few of my concerns that I have for my riding and across the province.

**Hon. R. F. Nixon:** I was very glad to hear the honourable member talk about the difficulty of getting help on the farm. My advice is that you have to pay more than a dollar a day and all the milk you can drink. I am not sure that—

**Mr. Breagh:** Why? You don't.

**Hon. R. F. Nixon:** I got rid of that problem by selling the cows.

Actually, one of the things that has impressed me is the willingness of young people, mostly young men but not exclusively, to look at a career in agriculture. For a time it was simply not attractive at all, but for farmers like the member's son, if the overhead costs are not too high, that is—I do not know how much the member is taking out of it in passing—there is sometimes enough left over to actually hire some help. I would think on the kind of farm that those people operate—a very well-known place with a lot of valuable livestock.

But seriously, you can offer a real career to a young man interested in agriculture. I have even heard of instances where over the years they develop a financial interest in the herd themselves and it is like money in the bank, tax-free under those circumstances, at least to some degree—I had better be careful—and when the time comes for them to set up their own farms, they have some resources and can do so.

Rather than looking to some other country to provide the kind of manual labour for what we need to do here, I think we should still think of a career working on the farm as a valuable and viable one in which people can establish a real future and learn at the hands of people like the honourable member, who is very expert in maximizing return from all sources.

**Mr. Harris:** I enjoyed the member's remarks immensely and I congratulate him on taking the time and the initiative in trying to get a few comments on the record. It is difficult in this chamber to get time for—

**Mr. Ballinger:** You have to be on this side.

**Mr. Harris:** That is right. It is even tougher, I know, on the other side of the House. With next to nothing in time being provided for estimates, it is very difficult for critics to get on the record and start to point out some of the problems that are out there. The member specifically, as a tourism critic, talked about some of the tourism problems and the advisory council he has proposed. I, too, share his chagrin that the government has not picked up on that excellent proposal.

I wanted also to ask him, in connection with the tourism comments he was making, whether he has even yet got any explanation from the minister as to why he and the Minister of Natural Resources changed the moose hunting season with only five months' notice, contrary to the long-standing agreement that nothing would be done without a year's notice. The brochures have



been printed by all the tourist operators around this province, the bookings have been in, nothing can be changed now and now the moose hunting season has been changed by a week, from the first week in October to the second week in October.

The literature cannot be changed, they have been to the shows, they have made bookings, they have made plans and they have made staffing arrangements. I wonder, in his capacity as critic—I know he commented on some tourism areas; I am not sure if he talked about this area specifically—whether the member has any kind of explanation from the minister why this long-standing tradition was violated and moved without any consultation in the tourism industry.

**The Deputy Speaker:** Do other members wish to comment? The member for Beaches-Woodbine.

**Ms. Bryden:** I am glad to participate in this debate on the supply motion, because it gives me an opportunity—

**Hon. R. F. Nixon:** Wait a minute.

**Ms. Bryden:** Sorry.

**The Deputy Speaker:** Comments on the member's statement. Do other members wish to comment on the member's statement? If not, would the member wish to reply?

**Mr. McLean:** Yes, I really would; I would like to have the opportunity to reply. I will reply to the latter member first. With regard to the moose hunting, I myself was just asking why the minister has done exactly what the member talked about. I have had comments from people in my area wanting to know more about the moose hunting season and why.

I want to talk a little more in detail about what the Treasurer has been talking about, that the day has passed when it is \$1 a day and all the milk you can drink. I want to assure him, and the Minister of Agriculture and Food also, that the day is gone when farm help gets paid a pittance, so to speak. People working on farms today are paid as much as people working in industry and in the service sector. I know that the help my son has on his farm makes as much as what a member would make here in the Legislature. Really, they are not underpaid.

The point of the matter is to get help. That is the key. We have phoned the farm labour pools around this province. I often wonder what a lot of those staff are doing. They are not getting help for farmers. I believe they work mainly on seasonal help, but we are there full-time and we need full-time help. I know the farmers today are

willing to pay for that full-time help. I want the Minister of Agriculture and Food to show some leadership and to make sure that if my son needs help, or anybody else's family needs help, they can get it. That is important, because who do you think feeds the nation? It is the farmers, and if they cannot get help, you are in trouble.

**The Deputy Speaker:** Do other members wish to participate in the debate? Now the member for Beaches-Woodbine.

1750

**Ms. Bryden:** I am glad to participate in this supply-motion debate, because I do want to draw the government's attention to the need for looking in the next few months at expenditures which should be covered by this vote if the government is to carry out its responsibility with regard to preserving a pause day for workers and retailers and the general public on Sunday shopping.

The only way for the government to fulfil that responsibility is to recognize that the local-option proposal it is putting forward is not going to preserve a pause day. It will not protect workers who do not wish to work on Sundays; it will not protect retailers who do not wish to open on Sundays; it will not protect the public from huge increases in prices which will result from the wide-open Sundays that the local option, so called, will produce, and it will not protect the taxpayers in the municipalities from the huge increases in costs which could result from a wide-open Sunday in a large municipality.

In fact, the government should recognize that the domino effect of Sunday openings is such that any local-option bylaw will result in a wide-open Sunday, and I think it is showing that it is putting its head in the sand when it says the question of Sunday openings should be left to the local municipalities.

I am afraid the government is showing the same chameleon characteristics as the previous government in dealing with what it considers a hot potato: If you do not want to make a decision, send it to a royal commission or an all-party committee—and they have done that on Sunday openings; if you want to be on all sides of the question, ignore the reports and recommendations of the committees and do nothing; and if it is a hot potato, toss it to the municipalities, regardless of what the cost may be to the municipalities or the effects on overall regulation of Sunday openings in this province.

This indicates that the government is not realizing that there will be no increase in net profits. In actual fact, there will be a decrease



because stores will have to operate for longer hours, will have to hire more staff and will have to use more electricity, more garbage collection and more insurance coverage. They may even have to pay premium wages for Sunday work, which they should do. And in many cases they will find the same volume of business will be done over seven days instead of six.

As I was mentioning, they are also ignoring the huge costs to the taxpayers which will come from greatly increased traffic on Sunday. To bring shoppers to the stores, there will have to be greatly increased public transit, police services and traffic control. All of these will be extra costs on the municipalities, and this is why many of the municipalities are rejecting the government's offer of local option.

If the minister in charge of the bill, the Solicitor General (Mrs. Smith), were prepared to pick up some of those costs, the municipalities might be more interested, but I think the majority of them realize that the government is tossing a very expensive hot potato at them and are not prepared to accept it, because there are real losers from this local-option legislation. The real losers are the workers who do not want to work on Sundays, for whatever reason. It may be that they want to spend Sundays with their families or friends; it may be that they want to go fishing or sailing; it may be that they want to go for a drive in the country.

Those recommending wide-open Sunday shopping say that workers can choose not to work on Sundays when they are hired and make an agreement with an employer, but already some firms are hiring people with a clause in the employment application which says, "I agree to work on Sundays if it becomes legal for this store." Other retailers are having to sign agreements with mall operators that they will open on Sunday if Sunday opening becomes operative in the municipality. There is not a question of choice; there is a question of coercion. This is why we need province-wide regulation and province-wide laws. I think it is very obtuse of the government to ignore the domino effect of any local-option bylaws.

Some proponents of Sunday shopping say you can make it an offence for an employer to fire an employee who refuses to work on Sundays and put a stiff penalty on it, but most observers in the labour relations field know it is very difficult to enforce such laws. An employer can find many other reasons for firing an employee. An employee without a union may be afraid to refuse

to work on Sundays. It is naïve for the Premier and the Solicitor General to put faith in any such legislation to protect employees from such intimidation.

I remind the House that in December 1986, when the flouting of the Retail Business Holidays Act was becoming rampant, the then Minister of Labour (Mr. Wrye) and the Attorney General (Mr. Scott) did bring in bills to protect workers from being forced to work on Sundays and being intimidated by employers. They also brought in a law under the Attorney General's name to allow the courts to demand that the scofflaws, as they are called—the retailers who insisted on opening in defiance of the law—could be brought before a court and ordered to obey the law.

The interesting thing is that, after the Retail Business Holidays Act was upheld by the Supreme Court of Ontario, these two bills brought in by the white knights on the other side of the House were allowed to die quietly when that particular session was prorogued. Obviously, they knew they were not enforceable, but they had brought them in as a sort of grandstanding legislation to show that they were on the side of the workers.

The second large group of losers from local option and a wide-open Sunday is the public, which will have to pay higher prices for the privilege of giving so-called freedom of choice to consumers. The people who will lose their pause days are very significant losers. They will no longer be able to spend Sundays with their families and their friends or to have their children at home when they are also at home themselves.

There are conflicting interests to satisfy in community services, and this is why freedom of choice cannot be absolute. We must balance those conflicting interests.

On motion by Ms. Bryden, the debate was adjourned.

#### ROYAL ASSENT

**The Deputy Speaker:** I beg to inform the House that, in the name of Her Majesty the Queen, the Honourable the Lieutenant Governor has been pleased to assent to a certain bill in his chambers.

**Clerk of the House::** The following is the title of the bill to which His Honour has assented:

Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act.

The House adjourned at 6 p.m.

## ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

## APPRENTICESHIP TRAINING

**49. Mr. Jackson:** Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987? [Tabled December 3, 1987]

**Hon. Mr. Curling:** A copy of the letter to the Honourable Benoît Bouchard is attached.

November 24, 1987

The Honourable Benoît Bouchard  
Minister  
Employment and Immigration Canada  
Ottawa, Ontario  
K1A 0J9

Dear Mr. Bouchard:

I appreciated the candour and openness which characterized the November 4, 1987, meeting of ministers with responsibilities for labour market matters, my first as Ontario's Minister of Skills Development. It is in keeping with this spirit of openness that I write to you today to express my concerns about your statements regarding changes to federal funding for apprenticeship.

Apprenticeship training has long been Ontario's principal program for long-term, on-the-job skills training. For 60 years, the employer-driven nature of apprenticeship has provided for training that is responsive to existing, as well as emerging, market demand for skilled workers. In turn, we have come to rely on apprenticeship to prevent occupational shortages that create bottlenecks in our economy. Today, as we step up our efforts to enhance Canadian competitiveness in an international market, Ontario looks to apprenticeship as a proven instrument of training.

In your statement to the ministers, you advised us that the federal government is considering limiting federal support for apprenticeship training to occupations designated under the skill shortages program of the Canadian Jobs Strategy. You also made a number of other comments about apprenticeship. Specifically, you stated that:

Most of apprenticeship could be accommodated within the skill shortages designation process;

You would prefer a system that would afford the federal government greater selectivity in its support for apprenticeship training;

You were ready to accept a transition arrangement which would extend grandfathering provisions to apprentices already in the system;

Labour market decisions should not be made in response to any "artificial" incentives in the system;

You were concerned that apprenticeship supports "continued overtraining in chronic surplus trades";

The federal government is neither for nor against apprenticeship.

I would like to comment on these matters.

In Ontario, funding apprenticeship through the current federal skill shortages program would have the immediate effect of disenfranchising fully 48 of the province's regulated trades, jeopardizing 8,500 employers and 11,500 apprenticeship positions. A list of these trades is attached. In essence, to receive any further federal support for any future apprentices in these occupations, these employers will have to justify their training decisions before the designation process of your officials. Furthermore, the private sector would be required to undertake the same exercise after new trades had been duly established by provincial apprenticeship systems.

Ontario has serious difficulty embracing a proposal that would see you put in the hands of government what was previously the decision-making power of individuals and employers in the private sector. This conflicts with the market-responsive nature of apprenticeship training.

As you know, a recent study carried out by ABT Associates on behalf of both our governments has demonstrated that the private sector pays for 90 per cent of the costs of apprenticeship training. It would seem fair that the partner who assumes the risk in apprenticeship should drive the system. If an employer makes a decision to shoulder the costs of training an apprentice, we must recognize it as a legitimate demand for skilled workers in the trade. Business decisions are taken in response to business needs, not, as you have implied, in response to the marginal incentives provided by government.

You have provided an assurance that you would support apprentices who are not training in "surplus trades." We are concerned about your assumption that employers are making conscious decisions to train apprentices in trades that are in



chronic surplus and government's capacity to second-guess those decisions in any event.

You stated that you were seeking an efficient response to the needs of the labour market. Funding a long-term training program such as apprenticeship through a program that is designed to alleviate immediate occupational shortages seems inappropriate. It should also be noted that there is a significant difference of opinion between our governments regarding the number of occupations considered to be in short supply in the province. While I don't propose to initiate a debate over the relative accuracies of our forecasting procedures, I can only reiterate my doubts about the validity of governments making funding decisions for a five-year training process on the basis of a forecasting system that can only attempt to make sense of current labour market data.

You emphasized that the federal government is neither for nor against apprenticeship. It is difficult to comprehend such a position on the part of your government. In Canada, as in other industrialized countries, apprenticeship is the prime method by which skilled tradespeople are supplied to the economy. By folding apprenticeship into the Canadian Jobs Strategy, you would place the onus on individuals, trade unions and employers to defend their decisions to train and force them to compete with other programs for shrinking federal resources.

We have been moving over the past several years towards greater clarity in responsibilities between the federal and provincial governments. In a number of important areas, such as health, this has led to a partnership between provincial infrastructures supported by reliable federal funding. I feel that your proposal undermines this progress.

As an example, I want to mention the recent initiatives undertaken by Ontario to strengthen and modernize apprenticeship training. Through a series of reforms, Ontario will more than double its spending on apprenticeship to \$25 million per year and will increase participation by 20,000 new trainees and 15,000 new employers over the next five years. The identification of new trades to deal with emerging economic requirements is also anticipated and was announced in August. Additional efforts will be made to increase the number of female apprentices by 150 per cent over the same time period. These initiatives, which have been encouraged and endorsed by your government, require your continued financial support for in-school training.

Your officials originally presented to the province three options for federal funding of apprenticeship. Without fully exploring these options with us, you have developed one that we see as unworkable. Ontario is most anxious to see your government reconsider its position and would like to move immediately to review all the alternatives that are available to us.

I have written this letter and decided to share it with the principal stakeholders in Ontario's apprenticeship system as a statement of my concern over your proposed action. While I cannot support the option you have put forward, I am prepared to work with you on the assumption that it is not your government's intention to design new mechanisms merely to reduce your funding of apprenticeship. I hope that our governments can agree to an option that will enable us to continue as partners in supporting apprenticeship systems that remain vital components of building a skilled labour force for a competitive and changing Canadian economy.

Sincerely, Alvin Curling, Minister.

Copy: Ontario Federation of Labour, Canadian Federation of Labour, Canadian Auto Workers, United Steelworkers of America, International Brotherhood of Electrical Workers, Hotel and Restaurant Employees International Union, Canadian Construction Association, Canadian Manufacturers' Association, Society of the Plastics Industry, Electrical Contractors Association of Ontario, Canadian Tooling Manufacturers' Association

Attachment:

Status of Ontario  
apprenticeship trades  
under  
list of federal designated  
skill shortages

Not designated: Alignment and brakes mechanic, assistant cook, automotive painter, barber, boat motor mechanic, cement mason, commercial and residential painter and decorator, compositor, compositor and camera technician, compositor-phototypesetting, construction and maintenance electrician, construction boilermaker, construction lineman, domestic and rural electrician, dry cleaner, farm equipment mechanic, fitter (structural steel/plate-work), fuel and electrical systems mechanic, glazier and metal mechanic, hairdresser, hairstylist, industrial electrician, industrial painter and decorator, industrial woodworker, ironworker, junior baker, landscaper-greenskeeper, lather, linotype operator, marina and small powered equipment mechanic, mobile crane

operator, motorcycle mechanic, nursery-greenhouse worker, patissier, plasterer, power line-man, pressman, (letterpress), printer (letterpress), radio and television service technician, sheet metal worker, small engine mechanic, small engine mechanic (construction), sprinkler and fire protection installer, steamfitter, tower crane operator, transmission mechanic, truck-trailer repairer, watch repairer.

Total trades, 48; apprentices, 11,500; employers, 8,500.

Currently designated with expiry dates: Auto-body repairer, September 30, 1988; automatic machinist, September 30, 1988; automotive machinist, September 30, 1988; baker, September 30, 1988; brick and stone mason, June 30, 1988; construction millwright, September 30, 1988; cook, December 31, 1988; general carpenter, December 31, 1988; general machinist, September 30, 1988; heavy-duty equipment mechanic, September 30, 1988; industrial mechanic (millwright), September 30, 1988; motor vehicle mechanic, September 30, 1988; mould

maker, September 30, 1988; offset pressman, September 30, 1988; plumber, December 31, 1988; printer, lithography, September 30, 1988; refrigeration and air-conditioning mechanic, September 30, 1988; tool and die maker, September 30, 1988.

#### GOVERNMENT EMPLOYEES

**76. Mr. Cousens:** Would the Chairman of Management Board of Cabinet advise how many additional employees have been hired, as of December 31, 1987, either full-time or on contract, with the implementation of Bill 8, the French Language Services Act, within the civil service of the province of Ontario? [Tabled January 7, 1988]

**Hon. R. F. Nixon:** The following chart outlines the number of additional full-time and contract employees that have been hired by each ministry between the period November 18, 1986, and December 31, 1987, with the implementation of Bill 8, the French Language Services Act.

**Additional employees/staff hired due to the implementation of Bill 8 for the period November 18, 1986, to December 31, 1987**

Ministry	Additional full-time classified employees	Additional full-time unclassified staff	Additional part-time unclassified staff	Total classified and unclassified
Agriculture and Food	1	0	0	1
Attorney General	0	0	0	0
Cabinet Office	7	6	1	14
Citizenship	0	0	0	0
Colleges and Universities	0	0	0	0
Community and Social Services	5	1	0	6
Consumer and Commercial Relations	1	0	0	1
Correctional Services	0	0	0	0
Culture and Communications	0	0	0	0
Education	1	1	0	2
Energy	0	0	0	0
Environment	0	0	0	0
Financial Institutions	0	0	0	0
Government Services	2	0	0	2
Health	0	0	0	0
Housing	2	2	0	4
Industry, Trade and Technology	2	0	0	2
Intergovernmental Affairs	0	0	0	0
Labour	1	0	0	1
Management Board	4	30	12	46
Municipal Affairs	1	0	0	1
Native Affairs Office	0	0	0	0
Natural Resources	0	2	0	2
Northern Development and Mines	1	0	0	1
Office for Disabled	0	0	0	0



Ministry	Additional full-time classified employees	Additional full-time unclassified staff	Additional part-time unclassified staff	Total classified and unclassified
Office of the Premier	0	0	0	0
Revenue	0	1	0	1
Senior Citizens' Affairs	0	0	0	0
Skills Development	1	0	0	1
Solicitor General	1	0	0	1
Tourism and Recreation	2	3	0	5
Transportation	2	2	0	4
Treasury and Economics	0	0	0	0
Women's Issues	0	0	0	0
Totals	34	48	13	95

### TABLING OF INFORMATION

**79. Mr. Brandt:** Would the Minister of Industry, Trade and Technology provide the reasons for delaying for over two years the tabling of the Informetrica report entitled Possible Impacts of Free Trade on Canada, Ontario and Other Provinces, which was completed and presented to the ministry in November 1985? [Tabled January 7, 1988]

**Hon. Mr. Kwinter:** The purpose of the 1985 Informetrica report was to test the findings of the Harris and Cox study released in 1984. It was our understanding that Informetrica was making this report available to its registered clients. As a result, the Ministry of Industry, Trade and Technology's participation was limited to \$7,000. Subsequently, the findings of the report were made known to Informetrica's extensive clientele. The ministry used the report for internal background information.

### CHILD CARE

**87. Mr. Brandt:** Would the Minister of Community and Social Services provide a list of those individuals/firms operating commercial day care spaces, indicating the number of spaces licensed and their location, and in accordance with his statement of December 7, 1987, a list of those applicants for additional commercial day care spaces "in process in the ministry's area offices," indicating the number of spaces applied for and their location? [Tabled January 7, 1988]

See sessional paper 202.

### WASTE SITE INVENTORIES

**88. Mrs. Marland:** Would the Minister of the Environment release an update report, using the most recent data available, to the Ontario

Ministry of the Environment Waste Site Inventories, which was originally released in July 1986 and contains unvalidated and outdated statistics from 1984? [Tabled February 9, 1988]

**Hon. Mr. Bradley:** The Ministry of the Environment is presently working on an updated waste site inventory report and this is scheduled for public release in April 1988.

The report will contain lists of all known active and closed waste disposal sites in the province as of December 1987. The document is divided into an active site list, a closed site list and a closed municipal coal gasification plant site list. For each waste site, information is provided on waste types, site locations, waste site classification and, in the case of closed sites, the year of closure. The coal gasification plant site inventory, not included in the original inventory document published in July 1986, lists newly identified sites where coal tar waste may be present. As with the original list published in 1986, this updated version is a working document subject to continual revisions and updating.

### NORTHERN ONTARIO HERITAGE FUND

**93. Mr. Harris:** Would the Minister of Northern Development indicate the costs incurred in establishing the northern heritage fund, which was announced in the April 1987 throne speech, a list of all projects approved for funding under the fund, the amounts for each project and the administration costs to date of this program? [Tabled February 9, 1988]

**Hon. Mr. Fontaine:** No identifiable costs have been incurred since the development work for the fund is being carried out within the regular public service. No projects have been approved for funding as yet. No identifiable administrative costs have been incurred.

## WORKERS' COMPENSATION BOARD ADVERTISING

**94. Mr. Harris:** Would the Minister of Labour provide a report on the current television advertisements being run by the Workers' Compensation Board? Specifically, what is the total cost of this campaign, what media are being used and who is the intended audience? [Tabled February 9, 1988]

**Hon. Mr. Sorbara:** Outlined below is a brief report on the WCB's most recent advertising campaign concerning the new integrated service units, which concluded on February 8, 1988.

The total cost of the campaign was limited to \$250,000. The media used were television and newspapers, and the intended audience was clients of the WCB and the public.

## ENERGY EFFICIENCY LEGISLATION

**96. Mr. Charlton:** Would the Minister of Energy table letters, petitions and briefs received and name deputations heard or planned with respect to Bill 82, An Act respecting Energy Efficiency? [Tabled February 11, 1988]

**Hon. Mr. Wong:** The Minister of Energy is pleased to table the following information as requested with respect to Bill 82, An Act respecting Energy Efficiency:

1. Letters (attached): Heating, Refrigerating and Air Conditioning Institute of Canada (January 4, 1988); Consumers' Association of Canada (January 20, 1988); Canadian Earth Energy Association (February 3, 1988).

2. Petitions: None.

3. Briefs (attached): Heating, Refrigerating and Air Conditioning Institute of Canada.

4. Deputations heard: The staff of the ministry have met with staff from the groups outlined on the attached.

5. Deputations planned: The staff of the ministry will be meeting with the staff of the Ontario Home Builders Association.

Attachments:

January 4, 1988

The Honourable Robert Wong  
Minister of Energy  
12th Floor  
56 Wellesley Street West  
Toronto, Ontario  
M7A 2B7

Dear Minister:

I am writing to you on behalf of an alliance of Canadian industry associations who represent manufacturers, distributors, contractors and energy suppliers involved in the residential space

and water heating and air-conditioning industries. Members of the alliance are: Heating, Refrigerating and Air Conditioning Institute of Canada; Canadian Institute of Plumbing and Heating; Canadian Gas Association; Home Energy Group; Propane Gas Association of Canada.

Our industries are most concerned about your ministry's activities in the area of seasonal efficiency ratings for residential appliances and equipment and the recent introduction of an Energy Efficiency Act for Ontario. In response to this concern, we have prepared the attached joint statement outlining our alliance's position. In brief, the position agrees with the need for seasonal efficiency rating methods and testing of certain energy-consuming products. However, we disagree with the government's plans to implement minimum seasonal efficiency levels and labelling for all residential heating and cooling products, and recommend that more cost-effective options be examined to meet the energy conservation objectives of your ministry.

The proposed act has now been introduced into the Legislature and for this reason our alliance would like to meet with you as soon as possible. We will therefore be contacting your office shortly to arrange such a meeting.

Yours very truly, Warren J. Heeley, BA,  
president, Heating, Refrigerating and Air Conditioning Institute of Canada.

Copies: N. Lakdawala, HRAI; D. Robertson, HRAI; B. White, HRAI; E. Hardison, CIPH; W. Glover, CIPH; I. McNabb, CGA; M. Giles, CGA; K. Fulbrook, HEG; W. Kurtze, PGAC.

January 20, 1988

The Honourable Robert C. Wong  
Minister of Energy  
Government of Ontario  
Queen's Park  
Toronto, Ontario  
M7A 2B7

Dear Mr. Wong:

The Consumers' Association of Canada congratulates you for the initiative and leadership shown by your ministry in introducing the Energy Efficiency Act, Bill 82, which received first reading on December 16, 1987. The CAC has been most active in encouraging energy efficiency and feels that this bill is a major step forward in protecting the consumer interest.

Numerous studies have shown that Canadian consumers want and need more efficient appliances. Canadians are currently paying far more in energy costs to operate major appliances and heating and air cooling equipment than are



citizens of other countries, notably those of the United States. Our association feels that products sold in Canada can and should be as efficient as those sold in the US. It is ironic indeed that many of the least efficient appliances available on the Canadian market are manufactured by companies of American parentage. We are pleased, therefore, with your stated goal of the timing of Ontario regulations being as consistent with the US as possible.

The CAC welcomes the bill's calling for the setting of minimum efficiency standards to be accompanied by incentives to manufacturers, retailers and consumers. Our association applauds the provisions for a program to develop standards for measuring performance, certifying and labelling of equipment. The CAC is anxious that this program include a public promotion and education component directed to manufacturers, retailers and consumers.

We are pleased to be able to fully support Bill 82. Hopefully, other provinces will see their way clear to follow.

Yours very truly, Sally Hall, president, Consumers' Association of Canada.

Copies to: The Honourable Marcel Masse; Margaret Soper, chairman of the board, CAC; Tanis Mathers, chairman, energy committee, CAC.

February 3, 1988

The Honourable R. Wong  
Minister of Energy  
The Government of Ontario  
56 Wellesley Street West  
12th Floor  
Toronto, Ontario  
M5S 2S3

Dear Mr. Minister:

Ref: Bill 82, An Act respecting Energy Efficiency

Our attention has been drawn to the position of some components of the Canadian HVAC industry in regard to the details and intent of this important bill. We understand that some objections may have been presented to you on behalf of Canadian industry seeking to maintain the current status quo.

We wish to place on record our support for this bill and to be disassociated from any negative representations you may receive from the HVAC industry in Canada. It is our position that this bill will lead to increased public awareness on equipment performance issues and emphasize the benefits of energy use efficiency from modern technology.

Earth energy, the use of heat pumps to recover the natural heat of the ground, is the most energy-efficient technology available for space heating, air-conditioning and domestic hot water. In terms of prime energy usage, an earth energy system will only consume about 30 to 40 per cent of the energy required to provide climate control in a building by any other heating and air-conditioning technology or type of fuel. In addition, earth energy is the most efficient and profitable terminal technology that the electrical utilities can use towards controlled load management.

Since 1984, when this technology became established in Canada after development in Sweden and the US, this industry has fought for due recognition against the combustion fuel lobby groups. Despite the overall lack of public awareness and knowledge in the regulatory and influence sectors, this industry is expanding at 60 to 70 per cent per annum and represented \$30 million in industrial activity in 1987, 80 per cent of which was confined to Ontario.

We fully endorse the objectives of Bill 82 and the writer is empowered to express our views in support of your initiative if required in the form of an intervention or public forum.

Should you require any further information on this advanced technology, the Canadian industry or the potential benefits to the utilities or consumer, please do not hesitate to contact the writer.

Yours sincerely, P.J. Scott-Smith, MIPI, MI, MarE, executive director, Canadian Earth Energy Association.

December 31, 1987

Joint statement on seasonal efficiency ratings for residential space and water heating and air-conditioning equipment. A brief prepared for the Ontario Ministry of Energy by Heating, Refrigeration and Air Conditioning Institute of Canada; Canadian Institute of Plumbing and Heating; Home Energy Group; Canadian Gas Association; Propane Gas Association of Canada.

Position summary:

Over the last two years, the Canadian regulatory community has focused considerable attention on the issue of seasonal performance test methods and standards for major appliances, space and water heating equipment and air-conditioning equipment. In response to action now being proposed by that community, the associations who represent the space, water heating, air conditioning and related industries



have jointly taken the following position on the issue:

(a) Our industries are fully in support of the principle of energy conservation, and we encourage the dissemination of information about seasonal efficiency to the consuming public to ensure that knowledgeable purchase decisions are made for space and water heating equipment.

(b) Our industries support the development of seasonal efficiency test methods for heating equipment (gas, oil and electric furnaces, boilers, water heaters and heat pumps) in Canada that are North American in scope, to reflect the reality of today's marketplace and to minimize the high cost of testing.

(c) To ensure that all heating equipment becomes rated, our industries support the inclusion of seasonal rating methods in the certification standards presently governing all of these types of equipment, on a mandatory basis.

(d) Our industries do not believe that it would be cost-effective to implement seasonal performance testing of air-conditioning and the cooling phase of heat pumps because of the short cooling season in Canada.

(e) Through examination of consumer response to higher-efficiency products over the last four years, it is our position that a free marketplace which offers the consumer choice provides the best environment for the purchase of cost-effective, efficient heating products. Therefore, our industries do not support legislation of minimum efficiency levels for space and water heating and air-conditioning equipment.

(f) Further, our industries do not support a labelling program for space, water heating and air-conditioning products since these products, unlike plug-in appliances, are not shopped for in the conventional sense. In most cases, the actual product is not seen by the consumer prior to purchase.

Note: Throughout this brief the expression "efficiency" relates to seasonal efficiency.

Refer to appendix A of this brief for a description of the participating associations.

#### Background:

Since the announcement by Consumer and Corporate Affairs Canada in 1985 that the ministry was phasing out the Energuide program, the energy conservation branch of Energy, Mines and Resources Canada has been studying the feasibility of an energy performance-information program for residential appliances and heating equipment in Canada similar to the Energuide program. The Ontario Ministry of Energy has also been studying such a program for inclusion

in an energy conservation initiative that was announced in late 1986.

The issue of seasonal efficiency ratings for residential heating and air-conditioning equipment has become more prominent since the enactment into law in February 1986 in the United States of the National Energy Conservation Act. This act prescribed minimum seasonal efficiencies for white goods (appliances) and brown goods (heating and cooling equipment), which are to be sold in the US market. EMR, MOE and a number of other governmental agencies have been reviewing the impact of this legislation as it applies to Canada and the Canadian space and water heating and air-conditioning industries.

Canadian shipments of heating products have shown that the consumer is reacting positively to the availability of higher-efficiency equipment. Evidence of this can be seen in the increase in annual shipments of mid- or high-efficiency gas furnaces over the last four years. This would seem to indicate that despite the drop in energy prices and the curtailment of government grants, the Canadian consumer is still energy conscious. Given this consumer awareness, there appears to be a need for efficiency rating information in Canada which will give the consumer the opportunity to make responsible, well-informed decisions when purchasing certain products.

However, seasonal efficiency ratings for space heating, water heating and air-conditioning equipment cannot be treated in a broad-brush manner. For example, there is a high degree of benefit associated with efficiency measurement standards for heating equipment (gas, oil and electric furnaces and heat pumps), but the benefit for air-conditioning equipment (room or central air-conditioning) is quite low because of the length of the cooling season in Canada.

A key issue in the discussion of seasonal efficiency ratings is the need to reassure the consumer that all products are subject to prescribed test methods. All space heating, water heating and air-conditioning products are required by regulation to undergo testing to national standards developed by industry consensus. Our industries are agreed that seasonal performance test methods should be included as a mandatory requirement in the applicable certification standards for the products in question.

#### Minimum efficiencies and labelling:

As mentioned previously, the National Energy Conservation Act passed in the United States contains requirements that will regulate minimum efficiency levels of major appliances and



heating/cooling equipment at the point of manufacture. This act was supported by the manufacturers of these appliances and equipment. However, it is important to recognize the rationale for the support of the legislation by these groups. These manufacturers had been facing an ever-increasing tendency by individual states towards setting state appliance and equipment minimum efficiency levels. Previously these groups had supported the position that marketplace characteristics were the best incentive for the purchase of energy-efficient products. However, because of the action being taken at the state level, the NECA was supported as a "lesser of two evils."

Our industries do not support the need for minimum efficiencies for space heating, water heating and air-conditioning equipment in Canada. The increased consumer response to higher-efficiency products outlined previously supports the position that a free marketplace which offers the consumer choice provides the best environment for the purchase of efficient products. In addition, there are many applications where mid-and high-efficiency products are not cost-effective because of low heat loss, energy prices and the length of the heating season. Therefore, by setting minimum levels, knowledgeable consumer choice would be restricted.

Our industries are also concerned that moves to legislate minimums would run counter to provincial and federal government commitments to nonintervention and deregulation.

It is also important to understand that NECA-legislated minimum efficiency levels were based on test criteria published by the Department of Energy. Therefore, the issue of minimums was dealt with in the political arena. Our industries are quite concerned that certain governmental departments are attempting to place these minimum efficiency levels in Canadian national consensus standards, thus effectively removing this controversial issue from the political arena and the legislative process. Our industries disagree with this process and feel strongly that the subject minimum efficiency levels should not even be considered in the voluntary standards-writing process in Canada.

Further, our industries do not subscribe to the theory put forward by a number of governmental agencies that Canada will become a "dumping ground" for inefficient US products when the NECA minimum standards are imposed in the United States. The current efficiency for heating products in Canada is roughly equal to the current

minimum efficiency of those products sold in the United States today.

It is also our belief that there is neither a need nor a practical way to implement a labelling program for space heating, water heating and air-conditioning products. These products, unlike plug-in appliances, which were covered by the Energuide program, are not shopped for in the conventional sense. In most cases, the actual product is not seen by the consumer prior to purchase. Any label affixed to the product would therefore be of no benefit to the consumer. Through mandatory seasonal performance efficiency testing, all products available to the consumer will be tested to a comparable system.

We do, however, support the concept of a joint government-industry publicity program to ensure that all consumers are aware of their choices and have the ability and knowledge to make an informed decision.

#### Appendix A

Participating associations in the joint statement:

Heating, Refrigerating and Air Conditioning Institute of Canada—The Heating, Refrigerating and Air Conditioning Institute of Canada is the national trade association of manufacturers, suppliers, wholesalers and contractors in the Canadian heating, ventilation, air-conditioning and refrigeration industry. HRAI members provide the essential products and services for indoor environmental control, ice-making and the preservation/cooling of perishable and non-perishable goods. Formed in 1968, HRAI has over 700 members with representation in all provinces.

Canadian Institute of Plumbing and Heating—The Canadian Institute of Plumbing and Heating is the trade association for manufacturers and wholesale distributors of plumbing and hydronic (hot water) heating products in Canada. The industry's products include pipe, tube, fittings, fixtures, pumps, valves, water heaters, boilers, radiation equipment, controls and accessories. Founded in 1933, CIPH has over 140 member companies across the country.

Canadian Gas Association—The Canadian Gas Association was formed in 1907 and is the national trade organization for Canada's multi-billion-dollar natural gas industry. Today, CGA's members include production, transmission, manufacturers of components, equipment and appliances, pipeline contractors, engineering and consulting firms and financial institutions, with the present total membership standing at 550.

Propane Gas Association of Canada—The Propane Gas Association of Canada is a vertically integrated trade association representing the Canadian propane/butane gas industry. Corporate activities of the 235 PGAC members include production, transportation, wholesale and retail marketing and the manufacturing and distribution of equipment and services for the distribution and marketing of propane and butane. The association has members located in all provinces and the Northwest Territories.

Home Energy Group—Ontario's oil heating industry is worth an estimated \$1 billion annually in goods and services. The industry services approximately 700,000 customers and directly employs more than 3,500 men and women. The Home Energy Group, Ontario's oil heating industry association, represents fuel oil retailers, oil heating equipment manufacturers and service representatives across the province. Since its inception in 1982, HEG has successfully promoted the twin concepts of energy conservation and oil heating while encouraging government to adopt fuel neutrality in energy policy.

Groups involved in consultation sessions regarding the Energy Efficiency Act: Municipal Electric Association; Energy Probe; Association of Municipalities of Ontario; Ontario Natural Gas Association; Canadian Gas Association; Consumers' Association of Canada; Ontario Hydro; Home Energy Group; Electrical and Electronic Manufacturers Association of Canada; Propane Gas Association of Canada; Heating, Refrigerating and Air Conditioning Institute of Canada; Retail Council of Canada.

## RESPONSES TO PETITIONS

### NATUROPATHY

Sessional paper P-1, re naturopathy.

**Hon. Mrs. Caplan:** Under the new legislation which is being developed to govern the health professions, naturopaths will be allowed to provide care to the people of Ontario as

unregulated practitioners. As is now the case, naturopaths will not be able to use certain modalities of treatment such as surgery or prescribing drugs licensed to other practitioners.

In the future, naturopaths will have opportunities to have their regulatory position re-evaluated to determine if they meet the criteria. They continue to make submissions to the Health Professions Legislation Review. The review is currently evaluating these new submissions.

### RECREATION TRAIL

Sessional paper P-11, re Marmora subdivision being developed as a recreational trail.

**Hon. Mr. O'Neil:** The role of the Ministry of Tourism and Recreation has historically been to assist municipalities and community organizations who may wish to assume direct responsibility for recreation/fitness trails, rather than direct provincial involvement in property acquisition and management. To this end, my ministry has already provided a \$30,000 planning grant to the county of Hastings towards a feasibility study of the outdoor recreation potential of the Marmora/Lake St. Peter abandoned rail right of way.

### ONTARIO HIGHWAY TRANSPORT BOARD DECISION

Sessional paper P-12, re request to vary a decision of the Ontario Highway Transport Board.

**Hon. Mr. Fulton:** Pursuant to section 22 of the Ontario Highway Transport Board Act (RSO chapter 338), a petition on behalf of Preston Hockley seeking to vary the decision of the Ontario Highway Transport Board dated January 20, 1988, concerning application number 33263-E, has been submitted for the consideration of cabinet. Being a matter outstanding before cabinet, it is improper for any comment at this time.



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
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 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
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 Campbell, Sterling (Sudbury L)  
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 Chiarelli, Robert (Ottawa West L)  
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 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)

**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
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 Hampton, Howard (Rainy River NDP)  
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 Hart, Christine E. (York East L)  
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 Keyes, Kenneth A. (Kingston and The Islands L)  
 Kozyra, Taras B. (Port Arthur L)  
**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
 Laughren, Floyd (Nickel Belt NDP)  
 LeBourdais, Linda (Etobicoke West L)  
 Leone, Laureano (Downsview L)  
 Lipsett, Ron (Grey L)  
 Lupusella, Tony (Dovercourt L)  
 MacDonald, Keith (Prince Edward-Lennox L)  
 Mackenzie, Bob (Hamilton East NDP)  
 Mahoney, Steven W. (Mississauga West L)  
**Mancini, Hon. Remo**, Minister without Portfolio (Essex South L)  
 Marland, Margaret (Mississauga South PC)  
 Martel, Shelley (Sudbury East NDP)  
 Matrundola, Gino (Willowdale L)  
 McCague, George R. (Simcoe West PC)  
 McClelland, Carman (Brampton North L)  
 McGuigan, James F. (Essex-Kent L)  
 McGuinty, Dalton J. (Ottawa South L)  
 McLean, Allan K. (Simcoe East PC)  
**McLeod, Hon. Lyn**, Minister of Colleges and Universities (Fort William L)  
 Micalash, Frank (Kenora L)  
 Miller, Gordon I. (Norfolk L)  
 Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

**Nixon, Hon. Robert F.**, Deputy Premier, Treasurer of Ontario and Minister of Economics and Minister of Financial Institutions (Brant-Haldimand L)

**Oddie Munro, Hon. Lily**, Minister of Culture and Communications (Hamilton Centre L)

Offer, Steven (Mississauga North L)

**O'Neil, Hon. Hugh P.**, Minister of Tourism and Recreation (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

**Patten, Hon. Richard**, Minister of Government Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

**Peterson, Hon. David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

**Phillips, Hon. Gerry**, Minister of Citizenship (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chairman of the Committees of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

**Ramsay, Hon. David**, Minister of Correctional Services (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

**Riddell, Hon. Jack**, Minister of Agriculture and Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the Committees of the Whole House (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

**Scott, Hon. Ian G.**, Attorney General (St. George-St. David L)

Smith, David W. (Lambton L)

**Smith, Hon. E. Joan**, Solicitor General (London South L)

Sola, John (Mississauga East L)

**Sorbara, Hon. Gregory S.**, Minister of Labour (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)

**Sweeney, Hon. John**, Minister of Community and Social Services (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

**Ward, Hon. Christopher C.**, Minister of Education (Wentworth North L)

Wildman, Bud (Algoma NDP)

**Wilson, Hon. Mavis**, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

**Wong, Hon. Robert C.**, Minister of Energy (Fort York L)

**Wrye, Hon. William**, Minister of Consumer and Commercial Relations (Windsor-Sandwich L)

Vacancy: London North

\*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.



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